
MINUTES OF THE PROCEEDINGS

OF

THE COUNCIL

OF THE

CITY OF PITTSBURGH

FOR THE YEAR

1991

VOLUME 125-A

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2813	Conturo, Mary	Submitting a quarterly report of the settlement of small claims, \$750.00 for First Quarter 1991	722
3023	Conturo, Mary	Submitting a quarterly report of the settlement of small claims, \$750.00	922
3300	Conturo, Mary	Submitting Quarterly Report of small claims, \$750.00 to the Third Quarter 1991	1235
1915	DiNardo, Louis	Submitting the regulations for Minority Business Enterprise/ Women's Business Enterprise Contract Participation	14
2199	DiNardo, Louis	Submitting the Rules & Regulations for City-County Building Entrance and Lobby in accordance with Section 111.01(b) of the Pittsburgh Code	178
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1974	Flaherty, Thomas	Submitting the Performance Audit of Housing Authority of the City October 18, 1990	53
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2865	Flaherty, Thomas	Submitting the Performance Audit of Equipment Leasing Authority years 1988 through 1990	755
2886	Flaherty, Thomas	Submitting the 1990 Comprehensive Annual Financial Report, year ending December 31, 1990	793
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2278	Hayllar, Ben	Submitting the Impact of Military Spending on Employment and Social Service Report of 1989	249
2304	Hayllar, Ben	Submitting a report of deposits and market value of Securities as of October 31, 1990	272
2305	Hayllar, Ben	Submitting a report of deposits and the market value of Securities as of November 30, 1990	272
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3106	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories June 30, 1991	1001
3164	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories, July 31, 1991	1075
3299	Hayllar, Ben	Submitting report of deposits and market value of securities by City Depositories August 31, 1991	1235
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2038	Masloff, Sophie	Reappointing Lela Burgwin to the Historic Review Commission for a term to expire December of 1993	79
2039	Masloff, Sophie	Reappointing Jack Wagner to the Allegheny County Sanitary Authority Board term to expire January 1995	80
2040	Masloff, Sophie	Appointing Stephen Shortley to Allegheny County Sanitary Authority Board term to expire January 1996	80, 149
2041	Masloff, Sophie	Reappointing Gerald Fox to Board of Adjustment term to expire January 1992	80
2042	Masloff, Sophie	Reappointing John Noonan to Board of Adjustment term to expire January 1993	80

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2044	Masloff, Sophie	Appointing Dominic Frasca as City Magistrate for a term effective upon the filing with the Clerk of Court of Common Pleas of Allegheny County	
2045	Masloff, Sophie	Appointing Reverend Jason A. Barr to the Planning Commission term to expire January 1996	80, 151
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2048	Masloff, Sophie	Appointing Nello Giorgetti to Steel Valley Authority Board term to expire January 1996	80
2049	Masloff, Sophie	Reappointing Lewis Borman to Pittsburgh Water and Sewer Authority Board term to expire January 1996	81, 178
2050	Masloff, Sophie	Reappointing Joseph Preston, Jr. to Pittsburgh Water and Sewer Authority Board term to expire January 1996	81,105,115
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2052	Masloff, Sophie	Appointing Michelle Jones to the Human Relations Commission term to expire July 1994	81, 149
2053	Masloff, Sophie	Appointing Barbara S. Burstin to the Human Relations Commission term to expire July 1994	81,105,110
2054	Masloff, Sophie	Appointing Peter Georgiades to Human Relations Commission term to expire July 1994	81,105,112
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2130	Masloff, Sophie	Reappointment of John Petrolias to Public Parking Authority Board, term to expire May 1992	135
2131	Masloff, Sophie	Reappointment of David Matter to Public Auditorium Authority Board, term to expire December 1995	135
2132	Masloff, Sophie	Appointment of Joseph Sabino Mistick to Public Auditorium Authority Board, term to expire December 1996	135
2133	Masloff, Sophie	Reappointment of Senator Eugene Scanlon to Stadium Authority Board, term to expire January 1995	135
2134	Masloff, Sophie	Appointment of Anthony Stagno to Stadium Authority Board, term to expire January 1994	135
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2136	Masloff, Sophie	Appointment of Michael Coyne to Stadium Authority Board, term to expire January 1993	136
2137	Masloff, Sophie	Appointment of Frederick Frank to the Public Parking Authority, term to expire May 1994	136
2138	Masloff, Sophie	Appointment of Bernard J. Regan to Steel Valley Authority Board, term to expire January of 1995	136
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2607	Masloff, Sophie	Appointing Reginald B. Young as Director of Parks and Recreation effective May 31, 1991	485, 544
2636	Masloff, Sophie	Appointing Norbert V. Rebholz as a District 4 Member of the Pitts- burgh Cable Communications Advi- sory Committee term ending December 31, 1991	612
2636	Masloff, Sophie	Appointing Norbert V. Rebholz as a member of Pittsburgh Cable Com- munications Advisory Committee term ending December 31, 1991	517
2637	Masloff, Sophie	Appointing Celia Berman Shapiro as an At-Large Member of the Pittsburgh Cable Communications Advisory Committee term ending December 31, 1993	518, 578
2793	Masloff, Sophie	Appointing Frank Sklar Frank to the Ethics Commission term to expire June 15, 1993	692, 1001
2794	Masloff, Sophie	Appointing Lawrence Moncrief to the Ethics Commission term to expire June 15, 1991	692, 1001
2795	Masloff, Sophie	Appointing June Bowers to City Planning Commission term to expire January 1994	693
2796	Masloff, Sophie	Appointing Thelma Lovette to City Planning Commission term to expire January 1994	693
2797	Masloff, Sophie	Appointing Arthur Young to Minority and Women Business Enterprise Re- view Committee term to expire April 1992	693
2798	Masloff, Sophie	Appointing Patricia Farlet of the Art Commission term of the Mayor	693, 755
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3039	Masloff, Sophie	Appointing Brian Weakland to the Water Exoneration Board, term to expire July of 1993	947, 961
3040	Masloff, Sophie	Appointing Don Walko to Water Exoneration Board, term to expire July of 1993	947, 961
3041	Masloff, Sophie	Appointing Michael J. Lynch, to the Ethics Commission, term to expire June 15, 1993	948, 1001
3042	Masloff, Sophie	Appointing Michael J. Lynch to the Ethics Commission, term to expire June 15, 1993	948, 1001
3043	Masloff, Sophie	Appointing Tom Solomich to the Ethics Commission, term to expire June 15, 1994	948, 1001
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3213	Masloff, Sophie	Appointing Senator Bodack to the Board of Public Parking Authority, term to expire May 1993	1161
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3332	Masloff, Sophie	Appointing John N. Walluk as Director of the Department of Public Works, effective January 6, 1992	1283
3620	Masloff, Sophie	Reappointing Robert Quigley to Pittsburgh Cable Communications Advisory Committee, term to expire December 31, 1993	1568
3621	Masloff, Sophie	Reappointing Norbert Rebholz to Pittsburgh Cable Communications Advisory Committee, term to expire December 31, 1993	1568
3625	Masloff, Sophie	Returning her Veto Bill No. 3482 An Ordinance amending Pittsburgh Code Title Five, Traffic, Article VII Parking Chapter 543 Parking Meter Zones uniform hours of enforcement	1583
1973	Mussman, Ronald A.	Controller, ALCOSAN submitting the list of Authority's personnel as of December 31, 1990	53
2923	Mussman, Ronald A.	Submitting a list of personnel as of June 30, 1991, ALCOSAN	827
2023	Perry, Michael	Submitting the Fourth Quarter Travel Report for 1990 from various Departments	68
2455	Perry, Michael	Submitting the First Quarterly Travel report for 1991 from various dept.	408
3022	Perry, Michael	Submitting the Second Quarterly Travel Report for 1991	922
3239	Perry, Michael	Submitting the Third Quarterly Travel Report for 1991	1198
2306	Sorochak, Michael	Submitting the current list of employees of the David L. Lawrence Convention/Exposition Center	272
3360	Wagner, Jack	Submitting the Lead Poison Prevention Committee	1329

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3624	Wagner, Jack	Calling a Special Regular Meeting Tuesday, December 31, 1991 at 10:00 a.m. for the purpose of acting on Mayor's veto on Bill No. 3482	1583
1947	Washington, David B.	Submitting an alphabetical listing of Housing Authority Employees as of December 31, 1990	34
2022	Whitmer, George	Submitting the annual position and Salary Report as of December 31, 1990	68

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Ferlo	Bill No. 2910 - Agreement with Community Based Organizations, \$605,000.00	942
Ferlo	Bill No. 3443 - Ordinance Pittsburgh Code Title IX - Zoning, 911 Fee Schedule, 911.01 Fees Established	1514
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Milliones	Bill No. 2669 - Cooperation Agreement - Allegheny County for improvements to City-owned facilities to South 10th Street Bridge, \$236,000.00	691
Milliones	Bill No. 2996, transfer \$30,000.00 from Code 1927-9, Dept. of Water to Code Acct. 1479-9, Dept. of Public Safety	964
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SPEAKER	SUBJECT	PAGE
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CABLECAST HEARINGS

SPEAKER	SUBJECT	PAGE
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Regan	Public Hearing of the closing of the Aviary	1093
Regan	Public Hearing on Public Safety 911 Plan	1518

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EFFECTIVE DATE OF LEGISLATION

SPEAKER	SUBJECT	PAGE
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EFFECTIVE DATE OF LEGISLATION

SPEAKER	SUBJECT	PAGE
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Milliones	Bill No. 2586 - Act No. 171 of 1984 become effective the day the Mayor signs it	506
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Regan	Bill No. 2749 - Agreement Diocese of Greensburg St. Joseph's Hall, \$47,533.20, the day the Mayor signs it	690
Ricciardi	Bill No. 2620 - An ordinance amending Title Three, Water, Water Exoneration Hearing Board, the day the Mayor signs it	585

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Ricciardi	Bill Nos. 2043, 2049, 2057, 2052, 2053, 2054 and 2056 - various re-appointments and appointments	105

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Cohen	Director Cannon concerning Police Response Times	1122
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Cohen	TCI cable and their rate hike	1331
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Milliones	Port Authority regarding Bill No. 2496 - Agreement with the Port Authority to fund Hill District Loop Bus	520
Milliones	To the Governor asking that the appointment to the vacancy of Senator Heinz be and individual from Western Pennsylvania	485
Regan	President Bush concerning drug related mishaps	994
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Coyne	Receive and file a communication from Mayor Masloff in relation to the Fire Study	1076
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Ferlo	Bill No. 2474 - Ordinance amending Title VI, Regulated Rights, Chapter 615, Commercial and Public Nuisances controlled substance, for hearing	485
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Ferlo	Bill Nos. 2043, 2049, 2057, 2052, 2053, 2054 and 2056 - various re- appointments and appointments, vote each one separately	109
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Ferlo	Reconsider Bill No. 2910 - Agreement with Community Based Organizations, \$605,000.00	942
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Madoff	Bring John Walluk, appoitee for the Director of Public Works in front of Council	1283
Madoff	Change the name of The Smoky City Music Festival	569
Madoff	Mayor create a Department of Aging	1058
Madoff	Post agenda regarding unaccouted bills throughout the Citu	1027
Madoff	Recess December 17, 1991 meeting and meet on Friday December 20, 1991	1570
Milliones	Bill No. 2749 - Agreement Dicocese of Greensburg St. Joseph's Hall \$47,533.20, become law the day the Mayor signs it	690
Regan	Hearing Operation into City Court	571
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Ricciardi	Making the letter sent to County Commissioners and their response to closing the County Lab, part of the record	1522

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Ferlo	Bill No. 1744 - Adopting and approv- ing the 1991 Capital Budget and the 1991 CDBG Program	17

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Cohen	Standing Committee Meeting to be able to vote on the bond	1132
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Milliones	The legislative meeting until Wednes- day, May 1, 1991 for voting on the Leasing Authority Bond	444
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Coyne	Bill No. 3368 - Reconstruction of Burgwin Playground, \$67,083.55	1497

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Ferlo	Bill No. 2770 - Agreement with Hill Community Development Corporation, \$150,000.00	777
Ferlo	Bill No. 2910 - Agreement with Community Based Organizations, \$605,000	897
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2243	Airport Area Advisory Commission, \$10,000 Amending No. 1111/1990	220, 286
2678	Airport Corridor Transportation Association, \$2,000	577, 637
2109	Alcoholic Recovery Center, \$5,000.00	104, 192
3120	American Water Works Research Foundation, \$20,445.60	1040, 1113

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2178	Architectural Services in connection with Various City Projects, \$350,000.00	174, 227
2549	Arlington Heights Resident Council, \$5,000	457, 561
3345	Arlington Heights Residents Council, \$5,000 Amending No. 519/1991	1295, 1386
1993	Arsenal Board of Trade, \$3,000.00	64, 157
3238	Band for services visa/mastercard at Phipps Conservatory, \$25,000.00	1198, 1281, 1492
2291	Bell of PA purchase of REACT Fire Alarm Systems, \$110,500.00	270, 337
2550	Beltzhoover Neighborhood Council, \$8,422.00	457, 561
3346	Beltzhoover Neighborhood Council, \$8,422.00 Amending No. 520/1991	1295, 1386
2326	Bethlehem Haven, \$50,000.00	297, 369
2551	Bethlehem Lutheran Church, \$8,000.00	458, 561
2100	Bethlehem Temple Christian Academy, \$4,000.00	102, 188
3347	Bidwell Education Music, \$18,888.00 Amending No. 522/1991	1295, 1386
2001	Bidwell Education, Mucis and Recreation Center, \$5,000.00	65, 158
2552	Bidwell Education, Music and Recreation Center, \$18,888.00	458, 561
2768	Bidwell, Inc., \$60,000.00 Amending No. 219/1987	667, 777
2196	Black Vietnam Era Veterans of Western PA, \$10,500.00	177, 220
2099	Bloomfield Block Watch, \$3,000.00	102, 188
1994	Bloomfield Citizens Council, \$11,000.00	64, 157
1995	Bloomfield Youth Athletic Association, \$1,500	64, 157
2501	Bloomfield-Garfield Corporation, \$10,000	433, 512
3535	Board of Public Education of School District, Renovation of the Baxter Playground	1442
2262	Borough of Plum, the Plum Borough Municipal Sewer Authority and ALCOSAN for sewage service agreement	246, 387
1999	Boys and Girls Club of Western PA., \$10,000.00	65, 158
1996	Brashear Association, \$15,000.00	65, 157
2553	Brashear Association, \$7,990.00	458, 562
2489	CareBreak, \$50,000.00	432, 510
2391	Carnegie for Commonwealth funds for Carnegie Science Center, \$500,000.00	361, 412
2323	Carnegie for use of Commonwealth funds for the Carnegie Science Center, \$2,000,000.00	297, 365
2111	Center for Emergency Medicine Western Penns- ylvania, \$43,000.00	104, 192

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2108	Center for Emergency Medicine of Western Pennsylvania, \$180,000.00	104, 192
2104	Center for Victims of Violent Crime, \$30,000	103, 191
2554	Center for Victims of Violent Crimes, \$2,000	458, 562
1997	Champions Association Inc., \$3,500.00	65, 158
2523	Church of the Good Shepherd and Shepherd Well-ness Community, \$6,000.00	436, 504
2522	City Information Systems, \$85,000.00	436, 504
2525	City Theatre Company, Inc., \$28,900.00	437, 516
2000	City Theatre Inc., \$8,000.00	65, 158
2388	City and Pittsburgh Water and Sewer Authority, Mt. Lebanon Municipality and Baldwin Borough public sewer, 19th Ward, \$16,500.00	361, 410
3445	Collection Agencies connection with delinquent charges for Pittsburgh Water & Sewer Authority, \$300,000.00 Amending No. 3270/1991	1376, 1424
1966	Collection Agencies for delinquent taxes, \$25,000.00 Amending No. 170/1990	52, 129
3270	Collection agencies for collection of delinquent water charges, \$200,000.00	1230, 1359
3446	Collection agencies for services in connection with delinquent water charges, \$300,000	1376, 1424
2993	Collection agencies in connection with delinquent axes, \$275,000.00 Amending No. 71/1991	873, 963
2494	Commission on Families, \$73,000.00	432, 511
3226	Commonwealth of PA, Dept. of Transportation	1196, 1282
2502	Community College Allegheny County, \$8,500.00	434, 512
1930	Community Based Organizations for economic development, Lawrenceville Citizens Council, Inc., \$68,328.56 Amending No. 903/1990	31, 72
2910	Community Based Organizations, \$605,000.00	826, 897, 947
2069	Community Housing Resource Board, \$20,000.00	99, 184
2911	Community Housing Resource Board, \$50,000.00	826, 897
2329	Community Human Services, \$54,000.00	298, 369
3520	Consultant Design of Replacement of Western Avenue Bridge, \$50,000.00 Amending No. 258/1987	1440, 1562
2942	Consultant designs for a pedestrian circulation at Three Rivers Stadium, \$650,000 Amending No. 893/1989	843, 935
2238	Consultant for City-wide training programs, \$42,000.00	218, 283
3530	Consultant for Design of Beechwood Boulevard Bridge, \$150,000.00	1442, 1565

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3522	Consultant for Design of the Rehabilitation of the North Avenue and Brighton Road Bridge, \$70,000.00 Amending No. 261/1987	1441, 1562
2543	Consultant for Engineering Services Design of Walbridge Street, \$200,000.00 Amending No. 262/1990	456, 588
3521	Consultant for Reconstruction of the South Highland Avenue Bridge, \$100,000.00 Amending No. 687/1988	1441, 1562
2943	Consultant for production maps for City's Bikeway Program, \$10,000.00	843, 1044
3490	Consultant for state assistance to work for various agencies of government, \$30,000.00	1404, 1505
3018	Consultant mixed media package in Fair Housing Assistance Program of HUD, \$23,300.00 Amending No. 271/1991	921, 966
2240	Consultant mixed media package with Fair Housing Assistance Program of HUD, \$20,000.00	219, 283
2499	Consultant or Vendor Six-Year Development Program CDBG, \$300,000.00	433, 512
2498	Consultant or Vendor, \$215,000.00	433, 512
2497	Consultant part of City's Neighborhood Business District Revitalization Program, \$200,000.00	433, 512
3210	Consultant purchase software EMS Billing, \$13,000.00	1161, 1203
2679	Consultant to conduct parking Residential Parking Permit Ordinance, \$15,000.00	577, 646
3227	Consultants Design of Holding Cells, Arraignment Court, \$177,500.00 Amending No. 227/1991	1196, 1282
2928	Consultants Design of Rehabilitation of Schenley Park Bridge over Boundary Street, \$25,000.00	840, 945
2168	Consultants for Construction Inspection Services, \$260,000.00	173, 225
3524	Consultants for Design of the P.J. McArdle Viaducts No. 1 and 2 Rehabilitation, \$125,000.00 Amending No. 259/1987	1441, 1562
3523	Consultants for Design of the South Millvale Avenue Bridge, \$70,000.00 Amending No. 248/1987	1441, 1562

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2809	Consultants for Feasibility Study of a Replacement Bridge at Ellsworth Avenue and Ravenna Street, \$15,000.00 Repealing No. 114/1989	721, 818
2885	Consultants for evaluation of personnel and positions structures Office of the City Clerk	793, 847
1986	Consultants for implementation of "Map Updating and Land Records Management Program, \$150,000.00	63, 155
2472	Consultants in connection with design of the Golden Triangle Computerized Traffic Signal System, \$1,346,000.00 Amending No. 310 1980	429, 516, 585
3400	Consultants market studies, City Neighborhood Business District, \$442,572.26 Amending No. 675/1986	1352, 1421
2365	Consulting services in connection with reapportionment of City Council districts, \$20,000.00	332
2555	Council Care Adult Day Care Program, \$3,000.00	458, 562
2366	Counsel to represent th City, \$40,000.00	332, 408
2059	County of Allegheny convey 1982 Ford Leach Packer Refuse Truck	97, 190
3574	Curtis M. Kennedy, \$1.00	1449, 1533
3586	Dept. of Parks & Recreation, \$10,000.00	1450, 1543
2232	Design services in connection with Widening of Penelope Street, \$100,000.00	217, 309
2147	Dickie, McCamey & Chilcote, P.C., \$65,000.00	148, 207
971	Diocese of Greensburg, Saint Joseph's Hall the training of Police Recruits, \$43,945.20	52, 134
2749	Diocese of Greensburg, St. Joseph's Hall, \$47,533.20 Amending No. 72/1991	636, 690
2260	Duquesne Light Company, Schenley Plaza Parking, 7th Ward	246, 302
2251	EMS Riverfront Development	245, 348
2556	East Allegheny Revitalization Corporation, \$7,000.00	458, 562
2334	East End Cooperative Ministries, \$50,000.00	298, 370
2098	East Liberty Concerned Citizens, \$1,000.00	102, 188
2503	Elder-Ado, Inc., \$15,000.00	434, 513
3343	Elder-Ado, Inc., \$15,000.00 Amending No. 484/1991	1295, 1385
2504	Elizabeth Seton Center, \$10,000.00	434, 513
2898	Engineering Services Zoo Parking Lot, \$100,000.00	823,904,1026

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2189	Engineering Services in connection with Design of Holding Cells at old Public Safety Building, \$140,000.00	175, 228
2167	Equipment for Ballfield Relighting at Various Location, \$125,000.00	173, 225
2505	Esplen Senior Citizens Association, \$5,000	434, 513
3552	Esplen Senior Citizens Association, \$5,000 Amending No. 486/1991	1445, 1538
2097	Ethnan Christian School, \$1,500.00	102, 188
2173	Facilities Environmental Improvement Program, \$375,000.00	174, 226
3417	Forward Purchase Agreement - City's General Obligation Bond Issue, Series 1985, Mellon Bank Mitsui Taiyo Kobe Global Capital, Inc.	1354, 1409
2557	Friendship Development Associates, Inc., \$5,888.00	458, 563
3344	Friendship Development Associates, Inc., \$5,888.00 Amending No. 527/1991	1295, 1385
2096	Friendship Preservation Group, \$3,000.00	102, 188
1908	Furnishing of professional services to benefit City Residents, \$650,000.00, Dept. of Environmental Services	13, 54
2506	Garfield Jubilee Association, \$5,000.00	434, 513
3342	Garfield Jubilee Association, \$5,000.00 Amending No. 487/1991	1295, 1385
2963	Garfield YMCA, \$1,000.00	845, 944
3404	Garfield YMCA, \$20,000.00 Amending No. 302/1989	1352, 1422
2487	Generations Together, \$10,000.00	431, 508
1998	George "Dew" Brown Basketball League, \$2,000	65, 158
2507	Golden Carriage, Inc., \$2,500.00	434, 513
2558	Golden Triangle Radio Information Center, \$5,000.00	458, 563
2771	Grant Agreement - URA and South Side Local Development Company, \$45,000.00	667, 778
3149	Grant Agreement - URA with Lawrenceville Development Corporation, \$70,000.00	1073, 1174
2017	Greater North Side Athletic Association, \$3,500.00	67, 162
2095	Greater Pittsburgh Commission on Women, \$8,000.00	102, 188
2559	Greenfield Organization, \$9,000.00	459, 563
3341	Greenfield Organization, \$9,000.00 Amending No. 529/1991	1295, 1385

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3340	Hazelwood-Glen-Hazel-Glenwood Citizens Council, \$5,000 Amending No. 489/1991	1294, 1385
2508	Hazelwood-Glen-Hazel-Glenwood Citizens Council, \$5,000.00	434, 513
2140	Health and Welfare Planning Assoc., \$27,000.00	146, 209
2013	Highland Park Community Club, \$5,000.00	67, 162
2094	Hill Community Center, \$2,000.00	102, 188
2560	Hill Community Development Corporation, \$15,000.00	459, 563
2770	Hill Community Development Corporation, \$150,000.00	667, 777, 1024
2093	Hill District Civic Association, \$3,000.00	102, 187
2548	Hill District Civic Association, \$3,000.00	457, 561
2561	Hill District Federal Credit Union, \$5,000.00	459, 564
2092	Historical Society of Western Pennsylvania, \$11,000.00	101, 187
2016	Homewood Art Museum, \$1,000.00	67, 162
2015	Homewood Brushton Baseball Association, \$3,000.00	67
2091	Homewood Brushton Merchants Association, \$1,000.00	101, 187
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2509	Homewood-Brushton Community Improvement Association, \$5,000.00	434, 513
3399	Housing Opportunities, Inc., \$25,000.00 Amending No. 506/1979	1352, 1421
3402	Hunger Action Coalition Penn Avenue Office, \$50,000.00 Amending No. 231/1987	1352, 1422
2484	Hunger Services Network, \$55,000.00	431, 508
1925	In connection with City's MBE/WBE Certification and Compliance Program, \$75,000.00	30, 57
3316	Independent accounting firm to perform annual audit, \$149,000.00	1275, 1315
2954	Independent accounting firm to perform annual audit, \$128,000	844, 929
2962	International Poetry Forum, \$500.00	845, 944
1907	Internship for graduate students to perform various energy related services for the Dept. of General Services, \$21,580.00	13, 57
2485	Jewish Community Center, \$27,500.00	431, 508
2483	Jewish Family and Children's Service Center (Senior Escort Program), \$17,643.00 Amending No. 289/1990	431, 508

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2482	Jewish Family and Children's Service Center (Small Chore and Shopping Program), \$15,250.00 Amending No. 290/1989	431, 508
2090	Just Harvest operating assistance, \$1,234.00	101, 187
2562	Just Harvest, Community Childhood Hunger Identification Project, \$13,000.00	459, 564
2781	Kevin J. Pagnato, \$7,500.00	669, 780
3267	Landmarks Financial Corporation, \$1,200,000	1230, 1321
2089	Larimer-Lincoln Revitalization Corporation, \$2,000.00	101, 187
3334	Larimer-Lincoln Revitalization Corporation, \$2,000.00 Amending No. 153/1991	1293, 1384
2563	Larimer-Lincoln-Lemington-Belmar Citizens Council, \$10,000.00	459, 565
2088	Lawrenceville Business Association, \$1,000.00	101, 187
3550	Lawrenceville Business Association, \$1,000.00 Amending No. 152/1991	1445, 1538
3548	Lawrenceville Business Association, \$11,112	1445, 1537
2511	Lawrenceville Citizens Council, \$5,000.00	435, 514
2981	Lawrenceville Citizens Council, \$71,893.05 Amending No. 903/1990	872, 969
3396	Lawrenceville Citizens Council, Inc., \$18,692.10 Amending No. 154/1984	1351, 1421
2512	Lawrenceville Development Corporation, \$5,000.00	435, 514
2982	Lawrenceville Development Corporation, \$76,352.27	872, 969
2510	Lawrenceville/Bloomfield Meals on Wheels, \$2,600.00	435, 514
2674	Leasing Office space relocation of various occupants of Public Safety Building, \$1,064,000.00 Amending No. 22/1991	576, 653
1906	Leasing of office space due to relocation of various occupants of the Public Safety Building, \$1,230,000.00	13, 57
2105	Legal Advocacy for Women, AKA, \$5,000.00	103, 192
2332	Light of Life Rescue Mission, \$25,000.00	298, 370
3453	Management Consulting Firm, \$36,633.34 Amending No. 319/1989	1378, 1452
2179	Material in connection with Major Court Renovations, \$150,000.00	174, 227
2183	Materials in connection the Schenley Park Repairs, \$100,000.00	175, 227
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2185	Materials in connection with Rehabilitation of Phipps Conservatory, \$100,000.00	175, 228
2181	Materials in connection with Rehabilitation of the Aviary, \$200,000.00	174, 227
2186	Materials in connection with Rehabilitation of the Pittsburgh Zoo, \$300,000.00	175, 254
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2180	Materials in connection with Renovation of Public Buildings, \$142,000.00	174, 227
2177	Materials in connection with Schenley Park Skating Rink Repairs, \$100,000.00	174, 226
2113	Medication Services, \$20,000.00	104, 193
2513	Minority Youth Development Company, \$6,000.00	435, 514
2327	Miryam's \$35,000.00	297, 369
2564	Miryam's, \$1,000.00	459, 565
2514	Mom's House, \$6,388.00	435, 514
3339	Mom's House, \$6,388.00 Amending No. 495/1991	1294, 1384
2960	Mornignside Baseball Association, \$7,000.00	845, 944
2087	Mt. Washington Community Development Corporation, \$2,000.00	101, 186
2961	National Achievement Club, \$5,000.00	845, 944
2748	National Night Out changing to read Neighbor-Fair Pittsburgh, Inc./National Night Out Amending No. 168/1991	636, 686
2107	National Night Out for services, \$2,500.00	103, 192
2443	Neighborfair Pittsburgh, Inc., \$48,000.00	406
2565	Neighborhood Housing Services, \$5,000.00	459, 565
3419	Neighborhood Legal Services Association, \$4,500.00	1354, 1414
2171	New Construction Design and Land Acquisition, \$200,000.00	173, 254
2014	New Group Theatre, \$2,000.00	67, 162, 191
3070	Norfolk and Western Railway Company Amending No. 76/1982	987, 1058
2085	North Side Civic Council, \$5,000.00	101, 186
2086	North Side Civic Development Corporation, \$3,000.00	101, 186
2328	North Side Common Ministries, \$26,000.00	297, 369
3176	Overbrook Senior Center, \$600,000.00	1105, 1204
3547	Ozanam Cultural Center, \$5,000.00	1444, 1537
2566	PA Association, \$3,000.00	459, 565
2115	Parental Stress Center, \$3,500.00	104, 193

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2654	Pepsi-Cola Company	536, 620
2084	Perry Central Neighborhood Council, \$5,000.00	100, 186
2567	Perry Hilltop Citizens Council, \$8,416.00	459, 565
2515	Perry Hilltop South CDC, \$20,000.00	435, 514
3405	Perry North Senior Center, \$20,000.00	
	Amending No. 280/1989	1353, 1422
2486	Persad, Inc., \$32,000.00	431, 508
3551	Persad, Inc., \$32,000.00	
	Amending No. 467/1991	1445, 1538
2083	Persan, Inc. for operating assistance, \$6,000	100, 186
2493	Pittsburgh Community Services, Inc., \$210,000	432, 511
2909	Pittsburgh Action Against Rape, \$23,000.00	826, 896
2568	Pittsburgh Action Against Rape, \$3,000.00	460, 565
2270	Pittsburgh Action Against Rape, \$40,000.00	247, 308
2655	Pittsburgh Board of Public Education Summer Food Service Program, \$600,000.00	536, 626
3163	Pittsburgh Board of Public Education, Summer Food Service Program, \$3,500.00	1075, 1175
2008	Pittsburgh Center for Arts, \$3,000.00	66, 160
3546	Pittsburgh Community Reinvestment Group, \$1,000.00	1444, 1537
2490	Pittsburgh Community Services, Inc., \$150,000.00	432, 510
2491	Pittsburgh Community Services, Inc., \$242,000.00	432, 510
3403	Pittsburgh Community Services, Inc., Home Security Program, \$280,000.00	
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2011	Pittsburgh Dance Council, \$4,000.00	67, 161
2082	Pittsburgh Literacy Initiatives, \$17,500.00	100, 186
2769	Pittsburgh Neighborhood Alliance, \$95,000.00	
	Amending No. 733/1982	667, 777
2500	Pittsburgh Partnership, Inc., \$365,000.00	433, 512
2941	Pittsburgh Police Historical Association, \$5,000.00	842, 897
1959	Pittsburgh Public Parking Authority repair various parking lots throughout the City	
	Amending No. 1031/1990	50, 72
2569	Pittsburgh Recovery Center, \$10,000.00	460, 565
2114	Pittsburgh Recovery Center, \$8,000.00	104, 193
2010	Pittsburgh Summer Basketball League, \$1,000.00	66, 161
2012	Pittsburgh Trust for Cultural Resources	67, 161
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2570	Polish Hill Civic Association, \$11,288.00	460, 565

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2644	Professional services benefit City,	
	\$650,000.00 Amending No. 7/1991	534, 639
2303	Professional services candidates for	
	Paramedics, \$19,200.00	272, 343
2081	Project "90" operating assistance, \$1,000.00	100, 186
2239	Provision of training City employees, personal	
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3087	Psychologist Dept. of Public Safety,	
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1946	Psychologist for professional psychological	
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3289	Public Parking Authority on-street parking	1234, 1493
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	Pool Design and Rehabilitation, \$550,000.00	173, 225
1905	Purchase of fuel for City owned vehicles,	
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2318	Purchase of property of EMS prototype sta-	
	tions, \$500,000.00	296,372,413
3152	Qualified third party administrator PA Un-	
	employment Compensation Law, \$15,000.00	1074, 1168
2175	Rehabilitation of Roofs at various locations,	
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3064	Reimbursement Agreement - Dept. of Transport-	
	ation, Unrestricted Cash	986, 1057
2516	Riverview Center for Jewish Seniors,	
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2080	Riverview Center for Jewish Seniors,	
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2002	Robert Morris College, \$5,000.00	65, 158
2079	Rx Council for operating assistance,	
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2571	Salvation Army - North Side Corps, \$1,472.00	460, 566
2333	Salvation Army, \$45,000.00	298, 370
2106	Salvation Army, \$60,000.00	103, 192
2076	Shadyside Action Coalition, \$3,000.00	100, 185
2003	Sharing and Caring, \$7,000.00	65, 159
2004	Sheraden Youth Center Committee, \$3,500.00	66, 159
2116	Sickle Cell Society, \$5,000.00	104, 193
2916	Sixth Floor of City-County Building to the	
	County of Allegheny, \$240,000.00	827, 961
2572	South Oakland Citizens Council, \$3,110.00	460, 566

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2074	South Side Local Development Corporation, \$3,000.00	99, 184
3545	South Side Local Development Council, \$5,000.00	1444, 1537
2573	Southwest Pittsburgh CDC, \$20,653.00	460, 566
1933	Spring Garden Neighborhood Council to operate a Neighborhood Information Program, \$99,936.66 Amending No. 742/1983	31, 73
2072	Spring Garden Neighborhood Council, \$15,000.00	99, 184
3394	Spring Garden Neighborhood Council, \$50,000.00 Amending No. 410/1986	1351, 1420
3401	Spring Garden Neighborhood Council, Inc., \$20,000.00 Amending No. 685/1988	1352, 1422
2517	Spring Garden Neighborhood Council, Inc., \$22,888.00	435, 515
3336	Spring Garden Neighborhood Council, Inc., \$22,888.00 Amending No. 498/1991	1294, 1384
2005	Spring View Athletic Association, \$4,266.00	66, 160
2575	St. Clair Athletic Association, \$9,478.00	460, 566
3338	St. Clair Athletic Association, \$9,478.00 Amending No. 545/1991	1294, 1384
2078	St. Clair Citizens Council, \$6,000.00	100, 185
2077	St. George Food Bank, \$3,000.00	100, 185
3184	St. Margaret Memorial Hospital and Delafield Associates, 12th Ward	1106, 1172
2071	Steel Valley Authority, \$46,500.00	99, 184
2574	Steel Valley Authority, \$5,000.00	460, 566
3573	Stenographic Reporting Services, \$2,000.00	1449, 1533
2336	Strassburger, McKenna, Gutnick & Potter, Attorneys at Law, \$507.70	299, 363
2112	Three Rivers Adoption Council, \$1,500.00	104, 193
3486	URA and County of Allegheny and Public Parking Authority regarding the New Public Safety Complex	1403, 1497
2914	Union National Bank	826, 892
3189	Union National Bank successor trustee for the Worker's Compensation Reserve Trust Amending No. 777/1991	1107, 1200
2488	United Jewish Federation, \$37,000.00	432, 508
2018	Uptown Little League, \$5,000.00	67, 162

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2495	Urban League of Pittsburgh, \$210,000.00 Urban Youth Action, Inc. to operate educational program, \$50,000.00 Amending No. 743/1983	432, 511 31, 73
2518	Ursuline Center, \$3,000.00	436, 515
2361	Various Agencies for implementation of City's 11-A State Educational Grant Program, \$318,766.00	331, 364
2235	Various agencies JTPA 11-A, \$1,834,726.00 Amending No. 732/1990	218, 249
3322	Various agencies Pittsburgh Partnership Employment Program, \$49,845.40 Amending No. 513/1987	1276, 1357
2360	Various agencies for implementation of City's 11-B JTPA, \$538,000.00	331, 363
2862	Various agencies, \$100,000.00	754, 795
2861	Various agencies, \$200,000.00	754, 794
2920	Various contractors, Special Events and Cultural Affairs 1991 Great Race/Finish Line Services, \$19,600.00	827, 899
2576	Vietnam Veterans' Leadership Program, \$17,000.00	460, 567
3337	Vietnam Veterans' Leadership, \$17,000.00 Amending No. 546/1991	1294, 1384
2073	Vintage for operating assistance, \$2,000.00	99, 184
2397	Walter H. Drane Company in connection with supplement to Pittsburgh Code, \$16,500.00	362, 409
2006	Washington Heights Athletic Association, \$7,500.00	66, 160
2577	Washington Heights Ecumenical Food Bank, \$5,000.00	461, 567
2070	West End Elliott Joint Project, \$2,000.00	99, 184
3544	West End Elliott Joint Project, \$8,000.00	1444, 1537
2974	Western PA Police Athletic League, \$5,000.00	871, 945
2492	Western Pennsylvania Conservancy for Community Self-Help Beautification, \$75,000.00	432, 510
2007	Western Pennsylvania Conservancy, \$16,000.00	66, 160
2578	Westside CDC, \$20,623.00	461, 567
2325	Whale's Tale, \$35,000.00	297, 369
2110	Women's Center & Shelter of Greater Pittsburgh, \$36,000.00	104, 192
2330	Women's Center & Shelter, \$45,000.00	298, 369
2519	Women's Center and Shelter, \$12,000.00	436, 515
3335	Women's Center and Shelter, \$12,000.00 Amending No. 500/1991	1294, 1384
2331	Womenspace East, \$26,000.00	298, 370

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2335	YMCA - Centre Avenue, \$16,000.00	298, 370
2579	YMCA/Garfield Branch, \$2,500.00	461, 567
2580	Youthbuild Pittsburgh, \$33,888.00	461, 567

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1967	Allegheny County Residential Finance Authority to refinance the Lemington Home for the Aged	52, 129

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1924	Application by the City with U.S. Dept. of Interior, National Parks Service for Urban Parks & Recreation Recovery grant in con- nection with Baxter Playground Rehabilit- ation Project	30, 79
1962	Application for financial assistance for a loan, \$150,000.00 to PA Dept. of Community Affairs for the development of Herr's Island Redevelopment Area No. 45	51, 133
1985	Application with U.S. Dept. of Housing and Urban Development in connection with Stewart B. McKinney Homeless Assistance Act of 1987, \$400,000.00	63, 155
2145	Filing applications by City with Commonwealth of PA Urban Youth Service Corps, \$136,521.00	147
2337	Filing applications with Commonwealth for JTPA, \$10,000.00 Amending No. 894 of 1989	299, 334
2524	Filing Application by the City in connection with CITIPARKS Integration Initiative Program, \$30,000.00	437, 515
2698	Zone applications with Commonwealth of PA Dept. of Community Affairs for Lower North Side, Lawrenceville	610, 681
2739	Financial assistance, \$318,000.00, U.S. Dept. of Housing Rental Rehabilitation Program	634, 741

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2743	U.S. Dept. of Labor in connection JTPA, \$1,584,,336.00	635, 673
2744	Commonwealth of PA in connection JTPA, \$2,273,072.00	635, 673
2832	Financial Assistance, \$310,000.00 renovation of Market Square, Dept. of Community Affairs	751
2838	Financial Assistance, \$1,000,000.00, Dept. of Community Affairs	751, 854
2840	Financial Assistance, \$1,000,000.00, Dept. of Community Affairs	751, 854
2842	Financial Assistance, \$1,000,000.00, Dept. of Community Affairs	751, 854
2844	Financial Assistance, \$350,000.00, Dept. of Community Affairs	752, 855
2846	Financial Assistance, \$600,000.00, Dept. of Community Affairs	752, 855
2848	Financial Assistance, \$200,000.00, Dept. of Community Affairs	752, 855
2850	Financial Assistance, \$375,000.00, Dept. of Community Affairs	753, 855
2852	Financial Assistance, \$250,000.00, Dept. of Community Affairs	753, 860
2854	Financial Assistance, \$106,000.00, Dept. of Community Affairs	753, 860
2856	Financial Assistance, \$250,000.00, Dept. of Community Affairs	753, 860
2858	Financial Assistance, \$140,000.00, Dept. of Community Affairs	754, 861
2983	Financial Assistance, \$1,586,541.81 in Strategy Funds, PA Dept. of Community Affairs	872, 969
3147	Applicaion for a grant Strategy 21 funds, \$17,002,195.00 Mellon University Research Facility Pittsburgh Technology Center	1073, 1174
3234	Application with U.S. Dept. of Labor and/or Commonwealth of PA with JTPA \$2,170,021 Amending No. 634/1991	1198, 1237
3263	URA return funds, \$400,000.00 to PA Dept. of Community Affairs	1229, 1321
3264	URA Dept. of Community Affairs, North Shore Redevelopment Project	1229, 1321
3265	Financial Assistance, \$365,400.00 to Common- wealth of PA Crawford-Roberts Redevelop- ment Project	1230, 1321
3350	Application by the City with U.S. Dept. of Housing and Urban Development, Referral Housing Discrimination Charges	1296, 1381

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3385	Application U.S. Dept. of Housing 1988 CDBG Program Amending No. 1046/1976	1349, 1418
3386	Application U.S. Dept. of Housing 1979 CDBG Program Dept. of Public Works Amending No. 1549/1978	1349, 1418
3387	Application U.S. Dept. of Housing and Urban Development 1981 CDBG	1350, 1419
3392	Community Statement U.S. Dept. of Housing 1988 CDBG Program, Dept. of Engineering & Construction Amending No. 448/1988	1351, 1420
3528	Application with Commonwealth of PA, Dept. of Community Affairs, Rehabilitation of Arsenal Park Project	1442, 1563
3553	Application PA Dept. of Community Affairs Hazelwood/Hays and South Oakland	1445, 1516

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2045	Barr, Jason	Member of Planning Commission term to expire January 1996	80, 150
2051	Baynes, Gene	Member of Human Relations Com- mission term to expire August 1993	81, 149
2056	Berrian, Brenda	Member of Human Relations Com- mission term to expire July 1994	82,105,113
3213	Bodack, Senator	Member of the Board of Public Parking Authority, term to expire May 1993	1161
2795	Bowers, June	Member of City Planning Com- mission term to expire January 1994	693
2053	Burstin, Barbara	Member of Human Relations Com- mission term to expire July 1994	81,105,112
2055	Conser, C. Lu	Member of Human Relation Com- mission term to expire July 1994	81, 149

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2136	Coyne, Michael	Member of Stadium Authority Board, term to expire January 1993	136
2798	Farlet, Patricia	Member of the Art Commission term of the Mayor	693, 755
3313	Feldman, Joan	Member of the Civil Service Commission, term concurrent with Mayor's term of office	1243
2137	Frank, Frederick	Member of Public Parking Authority Board, term to expire May 1994	136
2044	Frasca, Donald	As City Magistrate, term to expire January 1992	80, 151
2054	Georgiades, Peter	Member of Human Relations Commission term to expire July 1994	81,105,112
2048	Giorgette, Nello	Member of the Steel Valley Board term to expire January f1996	81, 178
3047	Holley, Regina	Member of the Minority and Women Business Enterprise Review Committee, term to expire April 1992	948
2046	Irvis, Kathy	Member of Planning Commission term to expire January 1992	80
2052	Jones, Michelle	Member of Human Relations Commission term to expire July 1994	81, 105, 110
2796	Lovette, Thelma	Member of City Planning Commission term to expire January 1994	693
3042	Lynch, Michael	Member of the Ethics Commission term to expire June 15, 1993	947, 1001
2132	Mistick, Joseph	Member of Public Auditorium Authority Board, term to expire December 1996	135
2794	Moncrief, Lawrence	Member of the Ethics Commission term to expire June 15, 1991	692, 1001
3041	Monheim Marion	Member of Ethics Commission, term to expire June 15, 1992	947, 1001
2057	Overton, James	Member of Minority and Women Business Enterprise Review Committee term to expire April 1992	82, 105, 110
2606	Perkins, Clarence	Director of Dept. of Water, effective May 31, 1991	485, 536

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2636	Rebholz, Norbert	Member of the Pittsburgh Cable Communications Advisory Committee term ending December 31, 1991	517, 612
2138	Regan, Bernard	Member of Steel Valley Authority Board, term to expire January of 1995	136
2637	Shapiro, Celia	Member of Pittsburgh Cable Communications Advisory Committee term ending December 31, 1993	518, 578
2040	Shortley, Stephen	Member of Allegheny County Sanitary Authority Board term to expire January 1996	80, 149
2793	Sklar, Frank	Member of the Ethics Commission term to expire June 15, 1993	692, 1001
3043	Solomich, Tom	Member of the Ethics Commission, term to expire June 15, 1994	948, 1001
2134	Stagno, Anthony	Member of Stadium Authority Board, term to expire January of 1994	135
3048	Stein, Stanley	Member of the Minority and Women Business Enterprise Review Committee, term to expire April 1992	948
2135	Turner, James	Member of Stadium Authority Board, term to expire January of 1996	135
3040	Walko, Don	Member of the Water Exoneration Board, term to expire July of 1993	947, 961
3332	Walluk, John N.	Director of the Dept. of Public Works	1283, 1297
3039	Weakland, Brian	Member of the Water Exoneration Board, term to expire July of 1993	947, 961
2797	Young, I. Arthur	Member of Minority and Women Business Enterprise Review Committee term to expire April 1992	693
2607	Young, Reginald B.	Director of Dept. of Parks and Recreation, effective May 31, 1991	485, 544

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1923	Adopting and approving the 1986 Capital Budget and the 1986 CDBG Program, \$16,000.00	
	Amending 1283/1986	30, 79
2165	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program, \$25,000.00	
	Amending 1415/1991	173, 225
2250	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program	
	Amending 1415/1991	245, 348
2324	Adopting and approving the 1991 Capital Budget and the 1991 through 1996 CDBG Program Penn-Liberty Cultural District Street Improvements	
	Amending 1451/1991	297, 369
2351	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program and 1991 through 1996 Capital Improvement Program	
	Amending 1451/1991	330, 373
2352	Adopting and approving the 1988 Capital Budget and the 1988 CDBG Program and 1988 through 1993 Capital Improvement Program	
	Amending 1094/1991	331, 373
2425	Carrying over balances remaining in certain Code Accounts for year 1990 to other Code Accounts for the year 1991	
		383, 438
2427	Making appropriations to pay the expenses of conducting public business of the City for meeting debt charges	
	Amending 1413/1990	383, 438
2428	Fixing the number of officers and the rate of compensation	
	Amending 1414/1990	383, 439
2608	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program and approving the 1991 through 1996 Capital Improvement Program, \$300,000.00	
	Amending 1415/1991	497,588,627
2638	Adopting and approving the 1989 Capital Budget and the 1991 CDBG Program and approving the 1989 through 1994 Capital Improvement Program, \$46,000.00	
	Amending 1049/1989	533, 818

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BILL NO.	SUBJECT	PAGE
2643	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program and approving the 1991 through 1996 Capital Improvement Program, (Renovations to Finance Department) Amending 1415/1991	534, 627
2668	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program and approving the 1991 through 1996 Capital Improvement Program (South 10th Street Bridge) Amending 1415/1991	575, 690
2670	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program and approving the 1991 through 1996 Capital Improvement Program (Public Safety Complex) Amending 1415/1991	575, 692
2672	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program and approving the 1991 through 1996 Capital Improvement Program (Project 228, \$750,000.00) Amending 1415/1991	575, 619
2727	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program and approving the 1991 through 1996 Capital Improvement Program (Identification Signs) Amending 1415/1991	633, 738
2766	Approving the submission for 1981 CDBG Program \$149,164.69, Hill District Employment Linkage Amending 219/1988	666,776,1024
2801	Adopting and Approving the 1991 Capital Budget and the 1991 CDBG Program, \$665,335.00 EMS Prototype Stations Amending 1415/1991	720, 818
2900	Adopting and approving the 1991 Capital Budget and the 1991 CDBG, Zoo Master Plan Amending 1415/1991	824,904,1026
2933	Adopting and Approving the 1991 Capital Budget and the 1991 CDBG, 490 Bike Route Amending 1061/1990	841,1026,1058
2934	Adopting and approving the 1991 Capital Budget and the 1991 CDBG, Baxter Play-ground Renovation Amending 1415/1991	841, 946

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3062	Adopting and approving the 1991 Capital Budget and the 1991 CDBG, Market Square Public Amending 1415/1991	986, 1049
3073	Adopting and approving the 1991 Capital Budget and the 1991 CDBG, Bureau of Repairs Amending 1415/1991	988, 1045
3224	Adopting and approving the 1991 Capital Budget and the 1991 CDBG, Miscellaneous Restoration of Pittsburgh Water and Sewer Authority Projects Amending 1415/1991	1196, 1328
3273	Making appropriations to pay expenses for public business, beginning January 1, 1991 Amending 1413/1990	1231, 1301
3274	Fixing the number of officers rate of compensation minimum levels certain Trust Funds Amending 1414/1990	1231, 1301
3436	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program, \$6,800,000.00 Amending 1415/1991	1375, 1496
3529	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program, Beechwood Boulevard Bridge Amending 1415/1991	1442, 1563
3531	Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program, Ornamental Fence Repair Program Amending 1415/1991	1442, 1565
3532	Adopting and approving the 1990 Capital Budget and the 1991 CDBG Program, Ornamental Fence Repair Program Amending 1061/1990	1442, 1565
3568	Making appropriations to pay expenses of conducting the public business of the City and for meeting debt charges, January 1, 1992	1448, 1575
3569	Fixing the number of employees of all departments of City January 1, 1992	1448, 1575
3570	Adopting and approving the 1992 Capital Budget and 1992 CDBG Program	1448, 1575

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BILL NO.	SUBJECT	PAGE
3561	Chief of Bureau of Building Inspection to provide 90 days Warning Period prior to any notice of sidewalk violation	1447

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3527	Deviation from the normal bidding process by advertising for Computerized Traffic Responsive Traffic Control System project	1441, 1563

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2144	General Obligation notes, nonelectoral debt service, \$30,000.00	147, 168
2436	Lease rental debt, \$14,000,000.00 into an equipment lease, Authority's Equipment Revenue Bonds, Series 1991	405, 445
3183	Nonelectoral debt refunding Capital Projects, General Obligation Bonds, \$45,000,000.00	1106, 1132
3206	Lease rental debt, \$5,900,000	1160
3272	Rental debt \$23,000,000.00, Public Auditorium Authority	1231, 1255

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3021	Delaying implementation of the Fire Study of Bureau of Fire	922, 971

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2708	Change the name of McKinley Little League Field to Loretta Miller Field, 13th Ward	612, 655
3159	Changing the name of Field 6 in Brighton Heights to Cameleus F. Sanguigni Field	1075, 1175

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2198	Study regarding the necessity for the City to fund and operate City Court	177, 220
3610	Requesting the Supreme Court of PA to devise a plan for the functions of City Court	1531, 1574

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2828	Community Affairs to order to close out the Bloomfield Recreation Facility Project, \$50,000.00	750, 831
2829	Community Affairs to order to close out Tropical Forest Exhibitory Phase 4.03 Project, \$200,000.00	750, 831

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1931	Community Development Statement by City with Dept. of Housing and Urban Development in connection with 1983 CDBG Program, \$27,539,000.00 Amending No. 167/1983	31, 73
2141	Filing Community Development Statement U.S. Dept. of Housing for grant 1988 CDBG Program Amending No. 448/1990	147, 209
2142	Filing Community Development Statement U.S. Dept. of Housing for grant 1987 CDBG Program Amending No. 1181/1986	147, 210
2481	Community Development Statement in connection with CDBG Program, \$15,699.992.00	431, 508
2765	Filing Statement with U.S. Dept. of Housing and Urban Development CDBG Program, \$17,734.00	666, 798
2767	Filing Statement with U.S. Dept. of Housing and Urban Redevelopment CDBG Program, \$700.14	666, 776, 1024
2902	Filing a Statement U.S. Dept. of Housing and Urban Development, \$11,111	824, 864
3113	Community Development Statement by City CDBG Program	1038, 1112

COMMUNITY DEVELOPMENT STATEMENTS

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3382	Community Statement with U.S. Dept. of Housing CDBG, Crawford Roberts Renewal, \$375,000.00	1348, 1418
3383	Community Statement U.S. Dept. of Housing 1984 CDBG Program, \$75,000.00 Amending No. 301/1984	1349, 1418
3388	Community Statement with Dept. of Housing and Urban Development 1983 CDBG	1350, 1419
3389	Community Statemtn U.S. Dept. of Dept. of Housing and Urban Development 1985 CDBG	1350, 1419
3390	Community Statement U.S. Housing and Urban Development 1986 CDBG	1350, 1419
3391	Community Statement U.S. Housing and Urban Development 1987 CDBG	1350, 1420
3393	Community Statement U.S. Dept. of Housing 1989 CDBG Program, Dept. of City Council Amending No. 79/1989	1351, 1420
3433	Community Statement U.S. Dept. of Housing and Urban Development CDBG Program, \$15,699,992.00	1374, 1489
3481	Community Statement U.S. Dept. of Housing and Urban Development CDBG Program	1402, 1516

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2762	Carnegie Mellon University 101 Tech Street	666, 776
2143	Frick Academy School	147, 210
1960	Margaret's Memorial Hospital	51, 286
3079	Mercy Hospital	989, 1044
2392	Rajiv and Swarna Varma, Locust Street	361, 412
2546	Shadyside Health Education & Research Corporation, 5230 Centre Avenue	456, 800
2547	University of Pittsburgh, Victoria Street	457, 581
2676	University of Pittsburgh, Stadium Road	576, 644
3480	Western PA Hospital	1402, 1489

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3251	Application of cold laid latex modified emulsion, \$119,551.37	1228, 1317

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2879	Cameras and Lenses for Organized Crime Narcotics and Intelligence, Bureau of Police, \$37,000.00	793, 865
2355	Civic Arena, for maintenance, \$500,000.00	330, 388
2263	Concrete Slab Replacement, \$500,000.00	246, 302
2653	Concrete repairs for the Dept. of Parks & Recreation, \$100,000.00	535, 619
2645	Delivering sideloading refuse containers with EMCO, \$40,400.00	534, 618
2619	Demolition of condemned buildings, \$800,000.00	499, 585
2176	Equipment in connection with Safety Code Compliance Program, \$15,000.00	174, 226
2652	Fence repairs for Dept. of Parks & Recreation, \$30,000.00	535, 619
3373	Flashing School Signs, \$59,997.90	1347, 1383
2253	Flexible beam guidelines, \$50,000.00	245, 285
1929	For furnishing of power reducers at various City Ballfields, \$365,000.00	31, 75
1928	For various energy conservation projects for Dept. of General Services, \$225,000.00	31, 74
3372	Furnishing electrical equipment for street lighting, \$448,361.77	1347, 1383
2410	Furnishing equipment for Street Lighting Department Public Works, \$50,000.00	380, 410
2277	Furnishing installation of picnic shelters, Dept. of Parks and Recreation, \$25,000.00	248, 307
3067	Handicapped Ramps in Various Community, \$100,000.00	987, 1057
1957	Installation of high pressure sodium street lighting for Dept. of Public Works, \$1,000,000.00	50, 72
2651	Installation of playground safety surface, Dept. Parks and Recreation, \$150,000.00	535
2411	Installation of traffic signals at various locations, \$60,000.00	381, 411, 440
2413	Installing electrical equipment for Street Lighting Department, \$77,000.00	381, 411
2705	LIFE PAK 10 for Bureau of EMS, \$61,764.00	611, 681
3534	Maintenance of brick street on Grant Street, \$20,000.00	1442, 1568
2904	Materials for several departments, \$10,000.00	824, 898
2187	Materials in connection with Lighting and Electrical Repairs at Various Locations, \$70,000.00	175, 228
3225	Miscellaneous Restoration of Varoius Water & Sewer Authority, \$50,000.00	1196, 1328

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3065	Miscellaneous Repairs to various streets, \$250,000.00	987, 1057
2776	Mobile File Unit, Second Floor Offices, Dept. of Finance, \$31,500.00	668, 756
2878	PEO in connection with Energy in the Environ- mental and Recycling Technology Program	792, 865
3397	Phoenix-Hill Shopping Center, Relocation of Carnegie Library, \$175,282.63 Amending No. 828/1978	1351, 1421
2290	Preventive Maintenance on Various Bridges, \$100,000.00	269, 351
2257	Public sidewalk construction, \$50,000.00	246, 285
3465	Purchase Computer Equipment and Software for Organized Crime, \$37,500.00	1379, 1491
3464	Purchase Saber Radios for Organized Crime, \$55,000.00	1379, 1491
3075	Purchase Three Wheel Forklift Truck, \$28,000.00	988, 1045
3466	Purchase a 15 Passenger Van to used for DARE/KID WATCH PROGRAM, \$25,000.00	1379, 1491
2995	Purchase a Customized Surveillance Systems Van, \$145,000.00	874, 943
2590	Purchase four Haenni-Loadometer, WL 101-Wheel Load Weigher Scale, \$14,000.00	463, 569
2103	Purchase memory boards for the Bureau of Administration, \$57,050.00	103, 190
3288	Purchase of CAD Hardware items, \$20,000.00	1234, 1326
2930	Purchase of Equipment and Materials, Renova- tion of the Baxter Playground, \$100,000.00	841, 946
2274	Purchase of Forestry and Park Landscaping Equipment Dept. of Parks and Recreation, \$93,000.00	248, 307
2060	Purchase of Selection Truck Scale Ticketing and Data Base System with Multi-User Capa- bility, \$2,043.00 Amending No. 903/1990	97, 154
3525	Purchase of Street Trees in Various Community Developoment, \$50,000.00	1441, 1563
3441	Purchase of containers for office paper cycling program, \$25,000.00	1376, 1475
3068	Purchase of equipment Safety Code Compliance Program, \$78,087.76	987, 1057
2166	Purchase of equipments in connection with Major Repairs and Emergencies to Park Facilities, \$100,000.00	173, 225
2233	Purchase of litter receptacles, \$40,000.00	217, 250

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2473	Purchase of poles and street lights various locations, \$150,000.00	429, 480
1958	Purchase of radio controlled calcium chloride, \$25,000.00	50, 72
2681	Purchase of software for training for the Department's Division of Employment and Training Grant Administration, \$10,000.00	577, 614
2275	Purchase of tractor for Pittsburgh Zoo, \$18,000.00	248, 307
1984	Purchase of two-way portable radio accessories for Public Safety Dept., \$23,100.00	63, 156
3368	Reconstruction of Burgwin Playground, \$67,083.55	1346, 1426, 1497
3112	Reconstruction of Thomas and McPherson Blvd., \$100,000.00	1038, 1079
1927	Rehabilitation of Fuel Island at the City Garage, \$550,000.00	30, 74
1922	Rehabilitation of Swinburne Street Bridge with Commonwealth of P.A. Dept. of Transportation, \$16,000.00 Amending No. 422/1987	29, 78
2190	Rehabilitation of Various Landscape and Turfed Area, \$175,000.00	176, 232
3369	Rehabilitation of Various Landscape and Turfed Areas, \$180,504.16	1346, 1426
2905	Rehabilitation of personal property in various department in the City	825, 898
3533	Renovation and Repair of Ornamental Fences, \$125,000.00	1442, 1565
3526	Renovation of Arlington Playground, \$310,000.00	1441, 1563
2929	Renovation of Spring Hill Ballfield, \$8,763.79	841, 946
2317	Renovation of Warrington Recreation Center, \$100,000.00	296, 372
2641	Renovation of Willie Stargell Park, \$100,000.00	534, 626
2254	Renovation of repair of concrete streets, \$150,000.00	245, 285
2640	Renovation of the Chadwick Outdoor Recreation Area, \$220,000.00	533, 626
2264	Renovation of walls and related facilities of City property, \$100,000.00	247, 303
3252	Renovation of walls related City Facilities, \$91,460.00 Amending No. 305/1991	1228, 1317
2642	Renovation to City-County Building, \$800,000.00	534, 626
2673	Renovations to City Facilities, \$450,000.00 Amending No. 45/1991	576, 619

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2899	Renovations to the Dept. of Parks and Rec. Warehouse and Shop, \$250,000.00 Amending No. 918/1990	823, 904
2610	Renovations within the City-County Building, \$300,000.00	497, 591, 627
2061	Rental of equipment in connection with the City's Capital Construction Division	98, 154
2255	Rental of equipment, City's Asphalt Plant, \$425,000.00	245, 285
2276	Repairs and Emergencies Dept. of Parks & Recreation \$120,000.00	248, 307
3074	Repairs to City Facilities, \$665,000.00 Amending No. 585/1991	988, 1045
2387	Repaving various areas throughout the City, \$300,000.00	361, 387
2931	Replacement of Shadeland Avenue Bridge, \$4,354,000.00	841, 946
3063	Restoration of Market Square, \$1,000,000.00	986, 1049
2256	Resurfacing various City Streets, \$465,000.00	245, 285
2542	Revonation of Various Senior Citizen Centers and Recreation Centers, \$38,000.00	456, 588
2611	Sealing asphalt at various locations within the City City's Street Resurfacing Program, \$20,000.00	497, 554
3066	Sidewalk replacement to Housing Authority, \$100,000.00	987, 1057
3201	Street Lighting Transfers, \$34,664.69	1159, 1201
2170	Street Tree Plant various locations, \$50,000.00	173, 226
2412	Street lighting transfers at various locations, \$15,000.00	381, 411
2292	Transfer of City's REACT Fire Alarm System	270, 337
1954	Various energy conservation projects for the Dept. of General Services, \$77,114.00 Amending No. 242/1990	50, 133
2877	Various energy conservation projects, Dept. of General Services, \$225,000.00	791, 864
1926	Various repairs and renovations to City Facil- ities, \$200,000.00	30, 74

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BILL NO.	SUBJECT	PAGE
1939	Providing for funds for capital projects by issuance of General Obligation Notes, \$30,000,000.00	33
2197	Director of Public Safety to accept monies from the Commonwealth of PA for Municipal Police Officers' Education and Training Act	177, 211
3440	Requiring deposits in connection with the loan of racoon and cat cages by the City	1376, 1474
3491	Banks and Lending Institutions to act as Depositories for the year 1992	1404, 1505

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3349	Implementation of Employee Tuition Reimbursement Program, Amending No. 844/1989	1296, 1407, 1466

ENCROACHMENTS

BILL NO.	SUBJECT	PAGE
3539	Alexanders Restaurant, a sidewalk cafe on Liberty Avenue, 8th Ward	1443, 1509
2975	Allegheny County 74 rock anchor tie backs, 1st Ward, 20th Avenue	871, 967
2759	Anthony J. Mazzarini, 478 Marlin Drive, a planter area on a portion of Saw Mill Run Boulevard, 19th Ward	665, 758
2760	Areena Pitts, a driveway on Watt Street, 5th Ward	665, 758
3375	Cara A. Ferrie, fence on the right-of-way, Fallowfield Avenue, 19th Ward	1347, 1416
1968	Carl W. Dorrow an easement for a driveway for ingress single-family dwelling, 26th Ward, \$1.00	52, 129
2808	Carnegie Institute, Forbes Avenue, two light poles on a portion of the sidewalk of Forbes Avenue, 4th Ward	721, 797
2192	Cathryn Cinquini a handicap ramp and five trees on sidewalk of Ellsworth Avenue, 7th Ward	176, 223

ENCROACHMENT

BILL NO.	SUBJECT	PAGE
2938	Computerm Corporation, 100 Wood Street, 6th Ward, an electrical vault on the sidewalk of Wood Street	842, 934
2613	Dumpster and Loading Dock Area on the right-of-way of Hope Street and E. Lacock Street, 23rd Ward Amending No. 1217/1990	498, 580
3260	Edward N. Stoner, II, 226 Outlook Drive, a garage encroachment on the right-of-way of Arlington Avenue, 18th Ward	1229, 1320
3542	Eleanor Batory, a driveway on a portion of the right-of-way of Oakdale Street, 26th Ward	1444, 1536
2193	Fairfax Apartments a handicap ramp on the sidewalk of Henry Street, 4th Ward	176, 224
3012	Frank Kutz, 4000 Windgap Avenue, a paved turn-a-round area over the sidewalk of Washville Avenue, 20th Ward	920, 968
2723	Golden Palace Chinese Restaurant, 206 Shiloh Street, an awning over the sidewalk, 20th Ward	632, 737
2416	H.M. Taylor, a garage entrance on a portion of the sidewalk of S. 13th Street, 17th Ward	381, 440
2476	Harvey Light, a handicap ramp on a portion of the sidewalk of Liberty Avenue, 8th Ward	430, 507
2451	Highland Park Community Club, a creative playground in Highland Park	407, 442
3376	Independent Resources East, a landscaped area of N. Winebiddle and Dearborn Streets, 10th Ward	1347
2545	Janice Bobak, 201 Bon Air Avenue, a fence on a portion of the sidewalks, 18th Ward	457, 554
3541	John A. Aurila, a deck over a portion of the paper street known as Saint Michael Street, 17th Ward	1444, 1536
2295	John M. Bell a wall on a portion of the sidewalk of Lehigh Street, 7th Ward	270, 335
2477	Joseph Laffey, a wheelchair ramp on a portion of the sidewalk of Duffield Street, 10th Ward	430, 507
3262	Joseph and Carina Traficante, 1600 Trinity Street, a sideyard on the right-of-way of Amsterdam Avenue, 10th Ward	1229, 1320
2612	Katherine Zgurich a porch and deck on a portion of the right-of-way of an Unnamed Way, 29th Ward	498, 580

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BILL NO.	SUBJECT	PAGE
2646	M & T Partners, 1200 Reedsdale Street, the grading and paving of Boyce Street and Sproat Way, 21st Ward	534, 614
3540	Mark Cardamone-Rayner, an extension to his sidewalk of Diamond Square, 17th Ward	1443, 1509
2976	Mark and Antionette Dobies, 3216 Dobson Street, an off-street parking area of Harding Way, 6th Ward	871, 967
2939	Metropol Nightclub, 1600 Smallman Street, 2nd Ward a loading dock on the sidewalk of Smallman Street	842, 967
2065	Millie Sass a balcony on the portion of the right-of-way of Elsinore Street, 4th Ward	98, 183
2697	Morris and Sheldon Levine, 5513 Penn Avenue, the grading and paving on Dunkirk Street, 11th Ward	610, 673
2807	North of Forbes, Inc., 2313 E. Carson Street, a canopy of the sidewalk of East Carson Street, 16th Ward	721, 797
3377	Patricia Gornick, a retaining wall on right-of-way of Knapp Street, 27th Ward	1348, 1416
2761	Pittsburgh National Bank, Mount Washington Branch, handicap ramp of Virginia Avenue, 20th Ward	665,75,797 968
2977	Pittsburgh Playhouse, 222 Craft Avenue,	
3259	Puddles', 1600 Smallman Street, a cement ramp on Smallman Street, 2nd Ward	1229, 1319
3261	Raff Printing, 82 Allen Street, a fire escape on the sidewalk of Industry Street, 18th Ward	1229, 1416
2415	Reese Brothers, Inc, an electrical vault in a portion of sidewalk of Penn Avenue, 2nd Ward	381, 440
2647	Robert O. Masteller, 255 Lelia Street, an off-street parking area of Oldham Street, 19th Ward	535, 615
2804	Robert Wholey & Co., Inc., 2nd Ward, docks on 15th Street and Smallman Street	720, 759
3014	Russell Webb, 2001 Perrysville Avenue, a planted area on the right-of-way of Perrysville Avenue, 26th Ward	921, 968
2724	Saint Michael and All Angels Lutheran Church, 1618 Rhine Street, handicap ramp, 24th Ward	633, 737
3013	Samuel and Janet Taylor, 1500 Fernleaf Street, a planted area on the sidewalk of Eccles Street, 16th Ward	921, 968

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BILL NO.	SUBJECT	PAGE
2478	South Side Development Co. 10 porches and 10 flights of steps on a portion of the sidewalk of Breed Street and S. 13th Street, 17th Ward	430, 507
2294	Timber Court Partners for a handicap ramp on right-of-way of Birn Way, 22nd Ward	270, 335

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3585	Dept. of Parks and Recreation to increase fees at Phipps Conservatory, January 1, 1992	1450, 1543

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2907	Historic Structure, Schenley Farms District, 4423 Bigelow Boulevard, 4th Ward	825, 1022
2908	Historic Structure Bingham Street, Block and Lot Number 3-G-246, 17th Ward	825, 1080
3291	Historic Structure 901-911 Bingham Street Amending No. 932/1991	1234, 1280
3315	Historic Structure Lowen-Shaffer House	1275

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2998	Law Department to determine what powers Council has to regulate operations of railroads	874

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BILL NO.	SUBJECT	PAGE
2955	Columbia Gas Co., Inc., 20 year lease for a regulator station in McKinley Park for \$1.00	844
2956	Columbia Gas Col, Inc., 20 year lease for a regulator station in Quarry Street Park for \$1.00	844
2385	Commerce Realty Associates, L.P. for certain office space in the Chambers of Commerce Building, for City Information Systems office term of 3 years, \$252,199,92	360, 412
3072	DiNardo Limited outdoor space for City vehicles, Dept. of Public Safety, \$1.00 for 5 years	988, 1045
2675	Forbes Street Associates, 441 Smithfield Street office space to extend the term to July 31, 1994, \$121,264.00	576
2992	Lease Rental debt, \$23,500,000.00 Public Auditorium Authority and Allegheny County bonds	873
2674	Leasing Office space due to the relocation of various occupants of the Public Safety Building, \$1,064,000.00	576
2921	Pittsburgh Ballet Theatre, 244 Liberty Avenue, 6th Ward, parking facility, term of 15 years	827,900,944
3016	Property on the 1st Floor of 908 Penn Avenue for \$2,500.00 for 36 months	921, 966
3017	Property on the 4th Floor 1700 East Carson Street for \$811.45 for 24 months	921, 966

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1987	Equitable Gas Company for pipeline right-of-way easement on Railroad Street between 29th Street and Eazor Square, Dept. of General Services, 6th Ward	63
2021	Senior Citizen Center Facilities, \$225, 414.00 from Senior Citizen Program Trust Fund	68, 163

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3560	Director of Parks & Recreation to create a program for removal and replacement of City Trees	1447

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1948	Residents of the City to discuss the recent rate increase of TCI Cable, the transfer of Channels, and lack of Service	35
2621	Residents of the City to discuss the proposed Conditional Use Exception for Shadyside Hospital to build a helistop	499
2658	Residents of the City to discuss the paving of paper alleyways in the 29th Ward	536
2686	Residents of Mt. Washington Senior Citizens Center to discuss the installation of a traffic signal at the intersection of 122 Virginia Avenue and the Foodland Street	578
2687	Residents of the City to discuss legislation to increase the amount the City is expending on audible traffic signals	578
2866	Residents of the City to discuss posting of signage stating "No Cruising Zone Midnight - 5 A.M."	755
2887	Residents to discuss the enactment of a resolution involving the future of Nitro Entertainment and their Marina/Restaurant	793
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3166	East Liberty Concerned Citizens Corporation to discuss implementation of curfew, use of beat patrol officers and other safety plans for the Larimer Community	1076

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1912	Act No. 171 of 1984	14, 53
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2589	Act No. 171 of 1984	
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2617	Act No. 171 of 1984	499, 580
2618	Act No. 171 of 1984	499, 580
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2948	Act No. 171 of 1984	
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3235	Act No. 171 of 1984	1198, 1238
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3352	Act No. 171 of 1984 (Second Class City Treasurer Sale)	1297, 1382
3353	Act No. 171 of 1984	1297, 1382
3420	Act No. 171 of 1984 (Second Class City Treasurer Sale)	1354, 1414
3455	Act No. 171 of 1984	1378, 1465
3456	Act No. 171 of 1984	1378, 1465
3492	Act No. 171 of 1984 (Second Class City Treasurer Sale)	1404, 1505
3576	Act No. 171 of 1984	1449, 1533
3577	Act No. 171 of 1984	1449, 1533

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BILL NO.	SUBJECT	PAGE
2395	Property in 21st Ward to Pennsylvania Dept. of transportation, \$1,000.00 from Michael Chorba, Washington Realty Company	362, 409
3069	Patrick Cox and Catherine Cox, 29th Ward, \$198,625.00	987, 1058
3156	Lloyd Estate, CSX, 1st Ward for develop- ment of Public Safety Complex	1074, 1174
3185	Schenley Estate, 1st Ward, for municipal officers	1106, 1174

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1911	Western Pennsylvania Conservancy of certain property in the 19th, 20th, and 24th Wards for public greenway purposes	14, 68
1942	Charles Bardin on certain property in the 3rd Ward	33, 70
2064	Tyler Way, 12th Ward, 9th District	98, 182
2261	Certain Property for a traffic signal, 4th Ward, Amending No. 603/1990	246, 302
2417	Breed Street widening of Enon Way, 17th Ward at South Side Development Co.	382, 440
2806	Edward and Rosemarie Balzer and Frank Tysarczk, 423 Fisk Street, Private Mintwood, 9th Ward	721, 795

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BILL NO.	SUBJECT	PAGE
2062	Sarah S. Young, Hayson Avenue, 20th Ward 17th District	98, 154

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BILL NO.	SUBJECT	PAGE
2957	Block 13C, Lot 258, Ronald J. Hays, 16th Ward \$300.00	844, 929
3190	806 Madison Avenue, 23rd Ward to Harry Anderson for \$10,120.00	1107
3421	Mark L. Munsch, for the sum of \$350.00, 25th Ward	1355, 1414
3575	Macedonia Baptist Church, 5th Ward for the sum of \$2,000.00	1449, 1533

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BILL NO.	SUBJECT	PAGE
2063	Park Lane Drive, Homewood Park Estate, 12th and 13th Wards, 9th District	98, 182

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

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3559	Bloomfield-Garfield Corporation - 5149 Penn Avenue, for the sum of \$1,000.00, 9th Ward	1447, 1539
3557	Boozar, Vernon - 5113 Broad Street, 10th Ward, Vacant Property Review Committee	1446, 1539
2738	Bopp, Maurice W. - Block and Lot 6-A-213, 19th Ward	634,740,778
2423	Brubach, Alice & Elmer - Block and Lot 76N-219, 27th Ward for Fair Market Value, Vacant Property Review Committee	382, 441
3143	Caiaccia, John - Block 49-C Lot 135A, 9th Ward for \$3,000.00	1072, 1173
2300	Commonwealth of PA - Block 25-S, Lots 112, 156, 104 and 98, 5th and 6th Wards, \$212,500.00	271, 303
3555	Eichhorn, Rodney - 1402 Chateau Street, for the sum of \$4,900.00, 21st Ward	1446, 1538
2729	Eufer Bradford, Eufer - Block and Lot 125-G-305 6725 Frankstown Avenue, 12th Ward	633, 738
2420	Felton, Charles & Doreen - Block and Lot 231K-242, 13th Ward 8353 Vidette for \$1.00	382, 441
2984	Gerwing, Robert W. - Parcels 244F and 244C-2 21st Ward	872, 969
2986	Henderson, Raymond and Grace - Parcel 16A, 21st Ward for the sum of \$350.00, 1410 Adams St.	872, 970
2194	Hill Community Dev. Corporation - Block 10N Lot 265 for \$20,000.00, 5th Ward, 2015-2017 Centre Ave.	176, 224
2985	Jackson, Opal E. - Parcel 93, 21st Ward for the sum of \$470.00, 1615 Manhattan Street	872, 970
2728	Johnson Jr., James - Block and Lot 125-G-305 for the sum of \$1,100.00 6725 Frankstown Avenue	633, 738
3142	Joyce, Bernadette and John - Block and Lot 49-C-135A, 274 Forty Sixth Street, Vacant Review Committee	1072, 1173
2736	Kapp Communications - Block and Lots 6-A-212 and 6-A-213, 19th Ward for \$650.00	634,740,778
2583	Lawrenceville Development Corporation Block 49N Lots 127, 128 & 129 for the sum of \$1,500.00, 6th Ward 3448 & 3450 Penn Avenue and 3450 Spring Way	461, 568

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PAGE
3205	LeDonne, Robert & Gloria - Block 26H Part of Lot 160, 8th Ward, for the sum of \$1.00 of \$2,000.00 1227 Buena Vista Street, 22nd Ward	1159, 1239 462, 568
2584	Meyer, Todd - Block 23J Lot 320 for the sum of \$2,000.00 1227 Buena Vista Street, 22nd Ward	462, 568
2944	Mistick, Robert and Thomas - Parcels 3, 3A and 5, 25th Ward \$1.50 per square foot	843, 941
2419	Petho, Stephen & Kim - Block and Lot 57C- 171, 15th Ward for \$100.00 Property Manage- ment and Maintenance Program, 5508 Sunnyside	382, 441
2834	Public Properties - Residential Land Reserve Fund Vacant Property Review Committee	751, 830
2835	Public Properties - Residential Land Reserve Fund Vacant Property Review Committee	751, 830
2836	Public Properties - Residential Land Reserve Fund Vacant Property Review Commtee	751, 830
3145	Public Properties - Residential Land Reserve Fund Council District No. 5	1073, 1173
3204	Public Properties - Block 26H Part of Lot 160, 8th Ward, for the sum of \$1.00	1159, 1239
2706	Public Property - Block and Lots Numbers 12-P-152 Part, 13-F-151, 13-E-220, 13-F- 32, 13-F-29, 13-F-1, 13-K-1, 13-E-280, 13-E-255, 13-J-8 for the sum of \$1.00	611, 681
2731	Public Property - Block 10N, Lot 330, 5th Ward	634, 738
3381	Public Property - Residential Land Reserve Fund Council District 7 & 9	1348, 1417
3558	Public Property - Bloomfield-Garfield Cor- poration Vacant Property Review Commi- ttee	1446, 1539
2735	Regional Research Inc. - 2405 & 2413 Fifth Avenue, 4th Ward	634,739,778
2734	Regional Research Inc. - Block and Lots 11-L-23 and 11-M-107 for the sum of \$700.00, 4th Ward	634,739,778
2424	Shanley, James & Judith - Block and Lot 76N-219, 27th Ward 3134 Fredrick Street for \$2000.00 Vacant Property Review Committee	383, 442
2737	Three Taxing Bodies - Block and Lot 6-A-212, 19th Ward	634,740,778

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PAGE
3554	Valkenburgh, J.G. - 4901-4909 Second Avenue for the sum of \$16,000.00, 15th Ward	1446, 1538
2418	Various Redevelopers - Redevelopment Area No. 10, 11th Ward	382, 441
2421	Various Redevelopers - Vacant Property Review Committee	382, 441
2422	Various Redevelopers - Residential Land Re- serve Fund, 21st Ward	382, 441
2833	Various Redevelopers - Dispositon of Land properties	751, 830
2837	Various Redevelopers - Disposition of Land properties	751, 830
3146	Various Redevelopers - Disposition of Land, Council District No. 5	1073, 1173
3203	Various Redevelopers - Property Management and Maintenance Program, for \$1.00	1159, 1239
3380	Various Redevelopers - Disposition of land sale of various properties, Council District 7 & 9	1348, 1417
3556	Various Redevelopers Vacant Property Review Committee and Planning Commission	1446, 1539
	Waldman, Daniel and Morris Block and Lot 2-M-211-C, 1st Ward 1628 Watson Street	1073, 1173
2945	Washington's Landing - Parcel 2A, 24th Ward, \$2.29 per square foot	843, 969
2299	Western Manor, Inc. - Parcel A - Western Restoration Project, 5th Ward, \$75,000.00	271
2730	Williams Jr., Lee Block 10N, Lot 330, 5th Ward	634, 738
2217	Wright, Clinton B. - 1419 Faulsey Way Parcel 231, 21st Ward, Redevelopment Area No. 27 for \$200.00	206, 253
2732	Wuerl, Bishop - Parcel 19, 3rd Ward, St. Benedict the Moor Church	634, 739
2733	Wuerl, Bishop - Redevelopment Area No. 31, 3rd Ward, St. Benedict the Moor Church	634, 739

PERMIT PARKING

BILL NO.	SUBJECT	PAGE
1934	Residential Sticker Parking Program in Oakland Community Amending No. 474/1983	32, 73

PERMIT PARKING

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1935	Residential Sticker Parking Program in West Oakland Amending No. 637/1989	32, 73
1936	Residential Sticker Parking Program in Oakland Community Amending No. 850/1987	32, 74
2440	Residential Parking Permit Program in Mt. Washington	405, 480
3230	Amend the streets in Squirrel Hill CMU area in conformance of the Pittsburgh Code Section 543.06 Amending No. 724/1988	1196, 1239
3363	Directing City Planning Commission to under- take a parking study to determine res- idential area, 7th Ward	1345

PUBLIC SAFETY

BILL NO.	SUBJECT	PAGE
3494	Public Safety Emergency Telephone Act Plan, rate for telephone subscribers	1404, 1551

READ AND ADOPTED RESOLUTIONS

ALL MEMBERS

BILL NO.	SUBJECT	PAGE
2350	Urging the Senators and Congressman to consider CDBG funds for local communities	295
2818	Requesting that the Allegheny County Board of Health perform air water quality analyses before installing the new toxic waste incinerator in the City	707
3034	Proclaiming August 11-16, 1991 as Fraternal Order of Police Week	917

READ AND ADOPTED RESOLUTIONS

DAN COHEN

BILL NO.	SUBJECT	PAGE
1953	Urging Pittsburghers to join with Speak With One Voice Against Rac- ism in honor of the late Dr. Martin Luther King, Jr.	28
1980	Proclaiming January 22, 1991 to be "Jan Neffke Day" in the City	44
2122	Commending John M. Wilds, Marsha Bingler, Dorothy Binstock, Dorothea Mason and James Vallas for years of dedicated service to the City	89
2310	Declaring March 26, 1991 "End Child- holland Hunger Day" in the City	259
2376	Proclaiming the week of October 7, 1991 to be "Pittsburgh International High Technology Week" in the City	315
2377	Commending the City of Hope volun- teers for "Workout For Hope"	317
2403	Proclaiming April 14, 1991 as "Rab- bi Dr. Baruch A. Poupko Day" in the City	355
2461	Proclaiming the week of April 27, 1991 as "Victims' Rights Week"	393
2462	Declaring Wednesday, April 24, 1991 as "Urslene Center Day"	394
2468	Proclaiming the month of April as "Child Abuse Prevention Month"	401
2533	Joining National Council of Jewish Women in honoring Gertrude F. Caplan	418
2534	Proclaiming May 3, 1991 as "Woolslair Elementary Gifted Center Day" in the City	419
2597	Commending Lisa Talleroni for her help in capturing a dangerous arsonist	448
2598	Declaring Friendship Development Associates, Inc., a civic organiza- tion	450
2602	Commending the Pittsburgh Campaign for Civil Rights	452
2634	Declaring May 12-18, 1991 as "Preservation Week" in the City	496
2635	Welcoming Vladimir Pozner from the Soviet Union to Pittsburgh	497

READ AND ADOPTED RESOLUTIONS

DAN COHEN

BILL NO.	SUBJECT	PAGE
2788	Commending Mentoring Project for Pregnant and Parenting Teens	659
2893	Commending Steffi Domike, Nicole Fauteux for their efforts on Monongahela Morning	788
3089	Declaring September 11, 1991 as United Way Day of Caring in Pittsburgh	975
3305	Commending 1991 Carnegie International and it's featured artists	1220
3329	Congratulating Carnegie Institute and staff of the Carnegie Science Center	1269
3429	Proclaiming the month of November 1991 as Alzheimer's Disease Month in the City	1337
3430	Commending Times Project for it's contribution to the Pittsburgh Culture	1340
3517	Congratulating Mayor Masloff for her recognition by the State of Israel Bonds	1401

READ AND ADOPTED RESOLUTIONS

MICHAEL COYNE

BILL NO.	SUBJECT	PAGE
2123	Congratulating Dr. Richard A. Uher and Dr. Charles Martoni, Award Recipients of the 1991 Inaugural Awards Dinner	91
2316	Extending appreciation to the Knights of Equity Court No. 9 and the Daughters of Erin	269
2407	Recognizing April 9, 1991 as "National POW/MIA Recognition Day" in the City	358
2467	Proclaiming the month of May, 1991 as "Mediation Month" in the City	401
2599	Proclaiming Tuesday, April 30, 1991 as "Alberta Eldridge Day" in the City	450

READ AND ADOPTED RESOLUTIONS

MICHAEL COYNE

BILL NO.	SUBJECT	PAGE
2600	Recognizing the Pittsburgh Symphony Orchestra on their annual "Symphony Salute"	451
2628	Requesting Mayor Masloff to communicate to both parties involved in the Giant Eagle Strike	488
2894	Acknowledging the contributions of The Notre Dame Club of Pittsburgh	789
3010	Honoring several young people for their act outstanding bravery in the face of danger	869
3218	Declaring the Hays Ammunition Plant as industrial development project of the Steel Valley Authority	1153

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
1918	Recognizing the outstanding achievements of George Washington Carver and saluting Camp Achievement	6
1919	Proclaiming Monday, January 7, 1991 as "Geraldo Rivera and 11 Who Care Day" in the City	8
1952	Honoring Loiuse R. Brown for her years of sacrifice and service to the City	27
1953	Urging Pittsburghers to join with Speak With One Voice Against Racism in honor of the late Dr. Martin Luther King, Jr.	28
2034	Recognizing the New Informer and the Homewood Brushton corporation for it's outstanding leadership of the Pittsburgh African American community	60
2035	Recognizing The Pittsburgh Federal Executive Board, African American History Month Committee for its contribution to the City	61

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
2036	Proclaiming January 26, 1991 as "Bishop Louis Henry Ford Day" in the City	62
2124	Commending Walter C. Worthington for untiring service to the African American Community	92
2125	Congratulating Ms. Lillie M. Lesesne for her commitment to the African American Community	93
2158	Congratulating Center's Executive Director Wilford Payne and it's Board	140
2159	Congratulating Gloria Inez Briskey for dedication to African American Heritage	141
2160	Recognizing Willa Mae Rice as the pioneer in defining direction for African Americans to follow	141
2161	Recognizing Constance Parker and Emily Davis for their leadership to the Black Women's Political Crusade	142
2206	Recognizing Pittsburgh Local 510 of National Alliance of Postal and Fed- eral Employees	169
2207	Recognizing Frank E. Bolden for his contributions to the African American	170
2208	Recognizing Tina Brewer and dedica- tion to the African American History	171
2227	Recognizing Carol Veal for the City's Minority Business Enterprise and the Women's Business Enterprise Programs	201
2228	Recognizing Chapter Alpha Alpha Omega and its President, Jackie Blakey-John- son	202
2229	Commending Lemington's Home for the Aged Board of Directors and its Exe- cutive Director Arthur J. Edmunds	203
2230	Proclaiming February 26, 1991 as George Plimpton Day" in the City	203
2249	Proclaiming Saturday, March 9, 1991 as Spigno Saturnia Italo-American Society Day in the City	216

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
2283	Recognizing Olivia Jones for her dedication to improve the status of mankind	235
2284	Recognizing Dolores Stanton for her energy to improve the status of African Americans	236
2311	Commending Mr.s Geneva M. Twyman for her unselfish deeds	261
2312	Patronizing the Homewood-Brushton Farmers Market	262
2347	Applauding Golden Star Lodge, No. 143, P.H. & A.	291
2348	Honoring the African American Women for "Women In History Month"	292
2378	Encouraging the African American Heritage Quilters Guild	318
2379	Congratulating Pittsburgh Job Corps Center	319
2404	Commending the Pittsburgh Chapter of Pittsburgh Association of Real Estate Brokers, Inc.	357
2405	Proclaiming Saturday, April 13, 1991 as Kappa Alpha psi Fraternity Day in the City	357
2406	Proclaiming April 8, 1991 "Freewheelers Volunteer Recognition Day" in the City	358
2463	Proclaiming April 28 - May 3, 1991 as "Minority Male Health Awareness Week" in the City	396
2464	Commending Dr. Joan B. Clark for Community Outreach and State Projects for the Western Pennsylvania School for Blind Children	396
2469	Proclaiming Sunday, April 21, 1991 as "Scouting for the Handicapped Day" in the City	402
2601	Declaring May 11 and 12, 1991 as "Quit For Your Mother Weekend" in the City	451
2603	Recognizing May 7 and 8, 1991 as "Southern African Development Coordination Conference Days" in the City	452

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
2628	Requesting Mayor Masloff to communicate to both parties involved in the Giant Eagle Strike	488
2631	Declaring May 9, 1991 as NAACP Day in the City	492
2632	Commending Pittsburgh Police Officers who have made the sacrifice of their precious lives	493
2789	Proclaiming Thursday, June 13, 1991 as "Richard S. Caliguiri Pittsburgh Middle School Memorial Award Day" in the City	661
2790	Proclaiming June 13th and 14th as "Erma Thompson Days" in the City	662
2819	Declaring Thursday, June 20, 1991 as "Urban Scouting Day" in the City	712
2871	Honoring Dr. Isaac Green for his outstanding leadership under the anointing of the Spirit of Christ	747
3007	Proclaiming July 19, 20 & 21 as Harris Family Days in the City	867
3009	Arthur Ziegler as the 1991 Riverperson of the Year	868
3010	Honoring several young people for their act outstanding bravery in the face of danger	869
3031	Proclaiming August 8th and 9th, 1991 as Dr. Charles G. Adams Days in the City	913
3136	Recognizing St. Cyprian Consistory #4 Fraternal Order of the Prince Hall Free and Accepted Masons	1033
3137	Proclaiming Friday, September 15, 1991 as Brushton United Methodist Church Day in the City	1035
3173	Declaring Tuesday, September 24, 1991 Children's Hospital Sickie Cell Program Day	1069
3197	Declaring October as Open Doors Awareness Month in the City	1100
3219	Proclaiming October 11, 1991 through October 14, 1991 as Grand United Order of Antelope of America Days in the City	1154

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
3245	Proclaiming October 16, 1991 as World Food Day in the City	1188
3246	Recognizing Dr. LaDoris McClaney for outstanding achievements in business	1189
3306	Welcoming the Allegheny Conference 145th Annual Session	1221
3307	Proclaiming October 25, 26 and 27, 1991 Improved Venevolent and Protective Order of Elks of the World Days in the City	1222
3308	Recognizing the Auxiliary to the PA State Association I.B.P.O.E. of th World	1222
3330	Proclaiming November, 1991 as Native American Month in the City	1271
3431	Proclaiming November 16, 1991 as Black Contractors Association Day in the City	1342
3472	Proclaiming December 6th & 7th as Willie Stargell Pittsburgh M.V.P. Awards Banquet Days in the City	1372
3473	Recognizing Senior Citizens for their invaluable service to our community	1372
3474	Proclaiming November 15, 1991 as Reverend Canon Junius F. Carter Day in the City	1372
3475	Proclaiming November 23, 1991 as Grand Worthy Matron Nellie M. Cahtie Day in the City	1373
3594	Proclaiming Saturday December 7, 1991 as Gospel Inspiration Day in the City	1439
3595	Proclaiming Saturday, November 30, 1991 as Middle Passage Commemoration Day in the City	1440

READ AND ADOPTED RESOLUTIONS

JIM FERLO

BILL NO.	SUBJECT	PAGE
1920	Proclaiming Friday, January 11, 1991 as Zachary Blecher Day in the City	9
1981	Proclaiming Tuesday, January 22, 1991 Buy-A-Board Days in the City	45
2249	Proclaiming Saturday, March 9, 1991 as Spigno Saturnia Italo-American Society Day in the City	216
2285	Calling on Governor Casey to review the impact on the closing of Wood- ville State Hospital	238
2286	Calling on President Posvar and Board of Trustees to reverse the policy and to provide crime reports to the Pitt News	241
2380	Calling on Congress to enact amend- ments H.R.5 and S.55 to the Nation- al Labor Relations Act	320
2381	Declaring Monday, April 8, 1991 as "Nora J. Walls Day" and "Head Start Teachers' Day" in the City	324
2382	Declaring Sunday, April 7, 1991 to be "Bernard J. Wessolek Day" in the City	326
2465	Proclaiming Sunday, April 28, 1991 as "Super Playground Day" in the City	397
2466	Recognizing "Tag Day For Middle East Children"	399
2534	Proclaiming May 3, 1991 as "Woolslair Elementary Gifted Center Day" in the City	419
2535	Declaring Tuesday, April 30, 1991 as "Jessica Gianotta Day" in the City	421
2601	Declaring May 11 and 12, 1991 as "Quit For Your Mother Weekend" in the City	451
2602	Commending the Pittsburgh Campaign for Civil Rights	452
2628	Requesting Mayor Masloff to com- municate to both parties involved in the Giant Eagle Strike	488

READ AND ADOPTED RESOLUTIONS

JIM FERLO

BILL NO.	SUBJECT	PAGE
2629	Declaring the Polonia Song and Dance Ensemble a civic organization within the context of the Pennsylvania Small Games of Chance legislation	492
2630	Declaring Tuesday, May 14, 1991 as East Liberty Salvation Army Day in the City	492
2789	Proclaiming Thursday, June 13, 1991 as "Richard S. Caliguiri Pittsburgh Middle School Memorial Award Day" in the City	661
2790	Proclaiming June 13th and 14th as "Erma Thompson Days" in the City	661
2791	Proclaiming Sunday, June 30, 1991 as "City Pride Day" in the City	663
2820	Commending the volunteers of 50 GOOD MEN	712
2821	Encouraging all residents to participate in the Lawrenceville 4th of July celebration	714
2824	Commending Quigley High School, North Catholic High School, and Mt. Alvernia High School for their competition with the Italian Basketball Team	717
2872	Declaring Saturday, June 29, 1991 as Gunnery Sergeant Joseph McCord Day in the City	748
2968	Urging State Assemble in include in the 1991-92 State Budget the Access to Primary Health Care Initiative of 1991	838
3030	Urging the Mayor to institute the Americans with Disabilities Act in each Department	911
3090	Urging the Dept. of Health and Human Services to become investor in the City Pride Bakery	976
3138	Declaring the Republican Club a civic organization with the PA Small Games of Chance legislation	1035
3173	Declaring Tuesday, September 24, 1991 Children's Hospital Sickie Cell Program Day	1069

READ AND ADOPTED RESOLUTIONS

JIM FERLO

BILL NO.	SUBJECT	PAGE
3174	Saluting Transitional Services, Inc. on their 25th Anniversary	1072
3220	Applauding the hard work of the Steel Valley Authority	1154

READ AND ADOPTED RESOLUTIONS

MICHELLE MADOFF

BILL NO.	SUBJECT	PAGE
2383	Proclaiming the week of April 7 through April 13, 1991 as "AIDS Awareness Week" in the City	327
2536	Proclaiming the weekend of May 3-5, 1991 as Parents Without Partners Weekend in the City	422
2666	Thanking Leonard Duncan for 30 years of service to Pittsburgh residents	532
2720	Amend the Home Rule Charter for the Controller's annual financial report	606
3091	Designating the week of September 21-29 as Operation Kidshot in the City	979
3110	Saluting the organizers of this year's Celebration of Women	997
3139	Commending the DITCHKIDS for their energy	1036
3310	Commending Officer William Zeglowitsch for his dedication and service to the community	1225
3432	Acknowledging Pittsburgh National Bank for financial assistance	1344
3516	Recognizing Seniors for their participation in the Baltimore trip in exploring the creation of the City of Pittsburgh's Dept. of Aging	1398

READ AND ADOPTED RESOLUTIONS

JAKE MILLIONES

BILL NO.	SUBJECT	PAGE
1953	Urging Pittsburghers to join with Speak With One Voice Against Rac- ism in honor of the late Dr. Martin Luther King, Jr.	28
2231	Celebrating the 25th Anniversary of Reverend Dr. Samuel W. Williams, Jr. and the New Zion Baptist Church	205
2287	Recognizing Dr. Niara Sudarkasa for "Educator for the 1990's" by Essence Magazine	242
2313	Allegheny County Chapter of the Amer- ican Diabetes Association	264
2407	Recognizing April 9, 1991 as "Nation- al POW/MIA Recognition Day" in the City	358
2408	Congratulating the 1991 Hand In Hand Award Winners	359
2435	Commending the staff and students of Rodgers School for Creative and Performing Arts	380
2603	Recognizing May 7 and 8, 1991 as "Southern African Development Coor- dination Conference Days" in the City	452
2631	Declaring May 9, 1991 as NAACP Day in the City	492
2717	Recognizing the week of June 3rd-9th as Jobs with Justice Health Care Action Week in the City	604
2758	Joins the inauguration of first Pitt- sburgh Black Writers Conference	631
2822	Celebrating the 100th Anniversary of Central Baptist Church	716
2823	Joining the Grace Memorial Presbyter- ian Church in the Retirement Dinner Tribute to Reverend Samuel Williams George	717
2893	Commending Steffi Domike, Nicole Fauteux for their efforts on Mononga- hela Morning	788
3092	Urging President Bush to reject the Thomas Nomination	982

READ AND ADOPTED RESOLUTIONS

JAKE MILLIONES

BILL NO.	SUBJECT	PAGE
3196	Proclaiming September 30, 1991 as PDACA Day in the City	1099
3476	Proclaiming Friday, November 14, 1991 as National League of Cities Day in the City	1373

READ AND ADOPTED RESOLUTIONS

BERNARD REGAN

BILL NO.	SUBJECT	PAGE
BILL	SUBJECT	PAGE
1920	Proclaiming Friday, January 11, 1991 as Zachary Blecher Day in the City	9
1921	Proclaiming Tuesday, January 8, 1991 to be "Marl Harold Tinker Garlock, Jr. Day" in the City	11
1982	Proclaiming Tuesday, January 22, 1991 to be Charles E. Cain Day in the City	47
2126	Recognizing Father Franco for his dedication and appointment to serve as Chaplain of the Pittsburgh Fire- fighters Local #1	94
2127	Recognizing Porky Sapovchak for his efforts to care for the ducks, geese and birds along the banks of the rivers	96
2162	Urging Pittsburgh residents to pray for brave heroes of Operation Desert Storm	143
2225	Declaring Tuesday February 26, 1991 to be "Chuck Cooper Day" in the City	197
2226	Proclaiming Tuesday February 26, 1991 as "Reggie Ward Day" in the City	199
2314	Proclaiming Tuesday, March 19, 1991 as "Herbert L. Needleman, M.D. Day" in the City	265
2315	Proclaiming Tuesday, March 19, 1991 as "Mary Ann Davis Day" in the City	268

READ AND ADOPTED RESOLUTIONS

BERNARD REGAN

BILL NO.	SUBJECT	PAGE
2316	Extending appreciation to the knights of Equity Court No. 9 and the Daughters of Erin	269
2349	Proclaiming Tuesday, March 26, 1991 as "Perry Traditional Academy Commodores' Day" in the City	293
2433	Designating April 16, 1991 as Pittsburgh Penguins Day in the City	378
2434	Declaring Tuesday, April 16, 1991 as Sam Juracko Day in the City	379
2470	Honoring 20 City Police on their retirement	402
2537	Declaring Tuesday, April 30, 1991 as "James Agras Day" in the City	423
2627	Commending Tom Clements on the occasion of the Annual Canevin Recall Series	488
2628	Requesting Mayor Masloff to communicate to both parties involved in the Giant Eagle Strike	488
2632	Commending Pittsburgh Police Officers who have made the sacrifice of their precious lives	493
2718	Proclaiming Tuesday, June 11, 1991 as as Ed Santa Day in the City	604
2719	Proclaiming Tuesday, June 4, 1991 as Carlisle's of Pittsburgh Day in the City	605
2792	Proclaiming June 18, 1991 as Special Court Judges Day in the City	664
2824	Commending Quigley High School, North Catholic High School, and Mt. Alvernia High School for their competition with the Italian Basketball Team	717
2892	Proclaiming July 8-12 International Basketball Week in the City	786
3032	Expresses 279th Engineer Battalion for their country in World War II	914
3033	Proclaiming August 6, 1991 as NATIONAL NIGHT OUT	914
3034	Proclaiming August 11-16, 1991 as Fraternal Order of Police Week	916

READ AND ADOPTED RESOLUTIONS

BERNARD REGAN

BILL NO.	SUBJECT	PAGE
3053	Honoring Elizabeth Verterano for Port of Pittsburgh Commission by Governor Casey	955
3054	Declaring September 10 to 13, 1991 as South Side Pedestrian Safety Week	957
3093	Declaring August 26, 1991 as Homeless Awareness Day in the City	985
3140	Honoring Jim O'Brien for his out- standing efforts in Pittsburgh sports	1037
3170	Proclaiming Tuesday, September 24, 1991as DiCesare-Engler Day in the City	1066
3171	Recognizing Thomas P. O'Malley as ambassador-at-large for the City	1067
3172	Commending Mr. Spagnola and Mr. Stephanites for committment to the City	1068
3198	Commending 171st, 112th, 3511th and 911th units who served U.S. Military	1102
3199	Proclaiming October 1, 1991 as Susan Wagner Day in the City	1103
3221	Declaring the week of October 6-12, 1991 as Fire Prevention Week in the City	1158
3247	Proclaiming October 15, 1991 as Aviary Day in the City	1191
3248	Proclaiming Tuesday, October 8, 1991 as Douglas Opperman Day in the City	1194
3309	Proclaiming October 24, 1991 as Zambelli Internationale Day in the City	1223
3617	Proclaiming Tuesday, December 17, 1991 as Freedom Day in the City	1525
3618	Recognizing Dr. Carmen A. Sarnicola as "Ambassador to the City" for his School Within a School Program	1529

READ AND ADOPTED RESOLUTIONS

EUGENE RICCIARDI

BILL NO.	SUBJECT	PAGE
2163	Commending South Vo-Tech DECA Chapter for its S.A.D.D. awareness campaign	145
2538	Declaring the month of May as "Older Americans Month" in the City	425
2628	Requesting Mayor Masloff to communicate to both parties involved in the Giant Eagle Strike	488
2663	Applauding the service of the volunteers of the Brashear Association	529
2664	Congratulating the participants of the Streetface Program	530
2824	Commending Quigley High School, North Catholic High School, and Mt. Alvernia High School for their competition with the Italian Basketball Team	717
2873	Declaring the Friends of the South Side Library withing the context of PA Small Games of Chance Legislation	748
2874	Declaring the South Side Local Development Company a civic organization within the context of PA Small Games of Chance legislation	748
2875	Declaring the South Side Community Council a civic organization within the context of the PA Small Games of Chance legislation	749
2876	Declaring the South Side Antiques Arts and Crafts Association a civic organization within the context of the PA Small Games of Chance legislation	749
2895	Declaring the Brashear Association a civic organization within the context of the PA Small Games of Chance Legislation	791
2896	Declaring the South Side Chamber of Commerce a civic organization within the context of the PA Small Games of Chance Legislation	791
3009	Arthur Ziegler as the 1991 River-person of the Year	868
3054	Declaring September 10 to 13, 1991 as South Side Pedestrian Safety Week	957

READ AND ADOPTED RESOLUTIONS

EUGENE RICCIARDI

BILL NO.	SUBJECT	PAGE
3055	<i>Congratulating St. John the Baptist Ukrainian Catholic Church on their 100th Anniversary</i>	958
3139	<i>Commending the DITCHKIDS for their energy</i>	1036
3197	<i>Declaring October as Open Doors Awareness Month in the City</i>	1100
3312	<i>Declaring Saturday, October 19, 1991 as Al Russo Day in the City</i>	1227
3331	<i>Congratulating The Salvation Army Adult Rehabilitation Program for 100 years of service</i>	1274
3619	<i>Declaring Friday, January 3, 1991 as "Fred and Matilda Seddon Day" in the City</i>	1530

READ AND ADOPTED RESOLUTIONS

JACK WAGNER

BILL NO.	SUBJECT	PAGE
BILL	SUBJECT	PAGE
1983	<i>Congratulating the Seton-LaSalle Rebels on their 1990 Championship season</i>	48
2033	<i>Commending the Canevin Catholic Crusaders High School Football Team on the 1990 Championship Season</i>	60
2288	<i>Thanking The Ireland Institute of Pittsburgh for their sponsorship of cultural exchange between the people of Pittsburgh and Ireland</i>	242
2289	<i>Pledges its support to the 1992 An- nual Conference of Neighborhoods, USA</i>	244
2316	<i>Extending appreciation to the knights of Equity Court No. 9 and the Daught- ers of Erin</i>	269
2384	<i>Recognizing Mary Cahill and Bernie Majeski for their effort serving in the Persian Gulf</i>	329

READ AND ADOPTED RESOLUTIONS

JACK WAGNER

BILL NO.	SUBJECT	PAGE
2409	Congratulating Donald M. Carroll, Jr. for his contributions to education in the City	359
2471	Proclaiming the month of June, 1991 as "Motorcycle Awareness Month" in the City	403
2539	Recognizing the contributions of Neighborhood Legal Services	427
2540	Proclaiming May 3, 1991 as "Foster Grandparents Day" in the City	428
2604	Proclaiming the week of May 12, 1991 as "Innovation Week" in the City	453
2605	Declaring May 9, 1991 as "Health Agency Coalition Day" in the City	455
2633	Declaring May 22 through June 6, 1991 as "Ohio River Days" in the City	494
2665	Commending the 35th Annual Pittsburgh Folk Festival	530
2694	Urging Dick Cheney to reconsider the closing of the Army Corps of Eng- ineers	573
2825	Commending Martin A. Damalak for gen- erous works through the Lions Club	720
2969	Commending John Varney for his contribution to Carrick Community	839
2970	Extending invitation to the Omiya City Council to return to our City	840
2980	Declaring Thursday, July 18, 1991 as Frederic B. Sargent Day in the City	840
3008	Declaring July 29, 1991 Harry J. Dilmore Day in the City	868
3009	Arthur Ziegler as the 1991 River- person of the Year	868
3035	Declaring Sunday, August 25, 1991 as Jazz Day in the City	919
3036	Welcoming the Ferguson Family to the City for their 15th Annual Reunion	920
3056	Proclaiming September 1 and 2, 1991 as Jerry Lewis Telethon Weekend	959
3057	Commending Paul Stackhouse, President of the Allegheny County Labor Council for the United Labor Day Parade	960

READ AND ADOPTED RESOLUTIONS

JACK WAGNER

BILL NO.	SUBJECT	PAGE
3110	Saluting the organizers of this year's Celebration of Women	997
3477	Declaring Saturday, November 23, 1991 as Frank (Mike) Hepler Day in the City	1374
3604	Commending Towing Operators Working to Eliminate Drunk Driving	1501
3605	Proclaiming December 6, 1991 as Larry Yatch Day in the City	1502

SENIOR CITIZENS

BILL NO.	SUBJECT	PAGE
3231	Rental of charter bus for elderly City residents to investigate Baltimore's Waxter Senior Citizen Center and the Office of Aging, \$925.00	1197, 1241

SEWAGE FACILITIES

BILL NO.	SUBJECT	PAGE
2259	Adopting Official Sewage Facilities Plan for South Side Business Center	246, 302
2321	Adopting Official Sewage Facilities Plan for North Negley Town Homes	296, 364
2437	Adopting Official Sewage Facilities Plan for Highland Building	405, 480
2803	Adopting Official Sewage Facilities Plan for Dormitory-University of Pittsburgh	720, 758
3253	Adopting Sewage Facility for Fairfax Estates	1228, 1317
3254	Adopting Sewage Facilities for South Side Lofts	1228, 1317
3255	Adopting Sewage Facilities Giant Eagle Supermarket	1228, 1317

STEEL VALLEY AUTHORITY

BILL NO.	SUBJECT	PAGE
2901	Approving membership of the City of Duquesne to the Steel Valley Authority	824, 847

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1955	112,886.00 - From Capital Account 3-30-01-004-90, Energy Conservation Improvements to the Duquesne Light Refund Trust Fund	50, 125
1989	115,725.00 - Within various Department of Public Safety Code Accounts, legislation retroactive to December 6, 1990	64, 130
1991	403,414.00 - From Code Account 1843, Senior Citizens Program to Code Account Senior Citizens Trust Fund, Dept. of Parks & Recreation	64, 152
2214	Balance - URA remaining in the Greenway Redevelopment Project to the Hill District Facade Program	205, 253
2269	80,000.00 - From Public Safety Pennfree Initiative to Code Account 1154-1, Dept. of General Services	247, 300
2273	100,000.00 - From Code Account 3-10-10-0002-91 asphalt to the Dept. of Public Works	248, 301
2298	1,260,000.00 - URA in Neighborhood Development Program Funds to Western Restoration Project	271, 303
2364	25,000.00 - From Code Account 1063, Misc. Services to Code Account 1043, Misc. Services, CIS	332, 384
2442	5,000.00 - From Code Account 1926, Municipal Obligations for Non-City Water Agencies to Code Account 1991, Premium Pay, Engineering Division	406, 464
2453	800,000.00 - From various code accounts to Code Account SPP(254359), Dept. of Parks and Recreation	407, 478
2701	175,000.00 - From Code Acct. 1926, Municipal Obligations for Non-City Water Agencies to Code Acct. 1927, Refunds Administration Division Dept. of Water	611, 669

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BILL NO.	SUBJECT	PAGE
2741	20,000.00 - From Code Acct. 1926, Municipal Obligations for Non-City Water Agencies to Code Acct. 1974, Repairs Division, Dept. of Water	635, 729
2775	31,500.00 - From Code Acct. 1063, Misc. Services Dept. of Finance to Code Acct. 1066, Equipment, Dept. of Finance	668, 756
2780	8,000.00 - From Code Acct. 1476 Misc. Services Dept. of Public Safety Bureau of Building Inspection, to Code Acct. 1478, Equipment, Dept. of Public Safety	668, 757
2799	40,000.00 - From Code Acct. 1080, Consumer Protection Law to Code Acct. 1490-9 Workers Compensation, Dept. of Engineering and Construction	720, 793
2805	27,786.37 - From Code Acct. CC Community Communications Trust Fund, Dept. of Public Works to the Grant Street Trust Fund, Dept. of Engineering & Construction	721, 794
2826	2,000.00 - From Code Acct. 1490, Equipment to Code Acct 1488, Repairs, Dept. of Engineering and Construction	750, 828
2863	200,000.00 - Pittsburgh Partnership Employment program	754, 795
2882	135,000.00 - From the JTPA-1 Trust Fund to the General Fund of the City	792, 846
2913	11,000.00 - From Code Acct. 1051, to Code Acct. 1046-1, Office of the City Controller	826, 877
2937	461,792.00 - From Code Acct. CC, Community Communications to the General Fund, Bureau of Cable Communications for 1991	842, 923
2940	\$5,000.00 - From Code Acct. 10 to Code Acct. 1103, Department of City Planning	842, 893
2972	150,000.00 - From Code Acct. 1177, Refuse/Ash Disposal to Code Acct. 1160-1, Dept. of Environmental Services	870, 930
2973	5,000.00 - From Code Acct. 10 to Code Acct. 1838, Dept. of Parks and Recreation	870, 934
2987	160,000.00 - From Code Acct. 1977, Utilities, Dept. of Water to Code Acct. 1132-7, Utilities, Dept. of General Services	873, 962
2988	60,000.00 - From Code Acct. 1977 to ARTF, Dept. of Public Works	873, 962

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2996	30,000.00 - From Code Acct. 1927-9, Code Acct. 1479-9, Dept. of Public Safety	874, 963
2997	80,000.00 - From Public Safety Pennfree Initiative Dept. of Public Safety, to Code Acct. 1154-1, Dept. of General Services	874, 965
3000	11,000.00 - From Code Acct. 1006, Equipment to Code Acct. 1003, City Clerk's Office	875, 965
3060	1,500,000.00 - From Code Acct. 3-13-60-1285-91, City Controller renovations Market Square	986,1042,1049
3076	2,500.00 - From Code Acct. 1632 to Code Acct. 1631, Dept. of Public Works	988, 1021
3077	50,000.00 - From Code Acct. 1612-1, Repairs to Code Acct. 1610, Dept. of Public Works	988, 1021
3081	6,500.00 - From Code Acct. 1017 to Code Acct. 1034-1, Commission on Human Relations	989, 1043
3094	114,000.00 - From Code Acct. 1188, Recycling to Code Acct. 1147, Dept. of General Services	999, 1077
3104	115,000.00 - From Code Acct. 1457-9 to Code Acct. 1470-9 Dept. of Public Safety	1001, 1078
3119	55,000.00 - From Code Acct. 1977 to Various Code Accounts, Dept. of Water	1039, 1110
3129	60,000.00 - From Code Acct 1446-1, Police Investigations to Code Acct. 1461-3, Fire Longevity, Dept. of Public Safety	1041, 1112
3141	20,000.00 - From Code Acct. 1150 to Code Acct. 1145, Dept. of General Services	1072, 1112
3158	2,500.00 - From Code Acct. 1475-1 to Code Acct. 1479, Dept. of Public Safety	1075, 1169
3160	3,500.00 - From Code Acct. 1829 to Code Acct. 1828-1, Dept. of Parks & Recreation	1075, 1169
3161	125,000.00 - From various code accounts to Code Account 1825, Dept. of Parks & Recreation	1075, 1169
3162	260,000.00 - From various code accounts to Code Acct. 1808-9, Dept. of Parks & Recreation	1075
3188	10,000.00 - From Code Acct. 1061 to Code Acct. 1061-1 Dept. of Finance	1107, 1200
3223	3,000.00 - From Code Acct. 1490 to Code Acct. 1482, Dept. of Engineering & Construction	1195, 1277

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BILL NO.	SUBJECT	PAGE
3228	20,000.00 - To Code Acct. 1176 from Code Acct. 1174, Dept. of Environmental Services	1196, 1237
3232	105,000.00 - From Code Acct. 1922, Dept. of Water to Code Acct. 51, Postage, Dept. of Finance	1197, 1277
3237	450,000.00 - From 1991 CDBG Trust Fund, Housing Authority Recreation Salaries to the General Fund of the City	1198, 1278
3250	115,000.00 - From Code Acct. 1148 to Code Acct. 1144, fuel, Dept. of General Services	1228, 1311
3269	87,500.00 - From Code Acct. 1922 to Code Acct. 1132-5, Dept. of General Services \$66,000.00	1230, 1312
3271	80,000.00 - From Code Acct. 47, to Code Acct. 44-1 Unemployment Compensation Fund, Dept. of Finance	1231, 1301
3276	15,000.00 - From Code Acct. 30, Refunds to Code Acct. 43-1, Refunds, Dept. of Finance	1232, 1313
3285	633,500.00 - To Code Acct. 1461-1 from various Code Accounts, Dept. of Public Safety	1233, 1278
3293	267,324.06 - From various code accounts to Code Account PZTF, Dept. of Parks & Recreation	1235, 1315
3333	20,000.00 - To Code Acct. 1172, Dept. of Environmental from Code Acct. 1927-9, Dept. of Water	1293, 1358
3348	250,000.00 - From Code Acct. 53 to Code Acct. 57-1, Dept. of Finance	1296, 1358
3370	150,000.00 - From Code Acct. 1927-9 to Code Acct. 1644-1, Dept. of Public Works	1346, 1382
3371	150,000.00 - From various Code Acct. to Code Acct. 1545, Dept. of Public Works	1347, 1382
3424	200,000.00 - To Code Acct. 1818, from Code Acct. SSFSP, Dept. of Parks & Recreation	1355, 1382
3435	350,000.00 - To Public Safety Complex Trust Fund Public Safety Complex	1375, 1496
3448	12,800.00 - From Code Acct. 1922 to Office Code Acct. 1043, City Information Systems	1377, 1450
3449	363,842.00 - From Code Acct. 1922, Dept. of Water to Code Acct. 1154-1, Dept. of General Services	1377, 1451
3457	5,000.00 - From Code Acct. 1421, from Code Acct. 1423, to Code Acct. 1422, Bureau of EMS	1378, 1415

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BILL NO.	SUBJECT	PAGE
3478	10,000.00 - From Code Acct. 1166, to Code Acct. 1167, Dept. of Environmental Services	1401, 1469
3479	3,000.00 - From Code Acct. 1608 to Code Acct. 1640, Dept. of Public Works	1401, 1469
3485	560,000.00 - From Code Acct. 1 Interest on Bonds Dept. of General Services to Code Acct. 45, Health Insurance Municipal Employees, Dept. of Finance	1403, 1470
3489	45,000.00 - From Code Acct. 1048, from Code Acct. 1048-1, from Code Acct. 1051, from Code Acct. 1052, to Code Acct. 1046	1404, 1504
3495	40,000.00 - From Code Acct. 1, Interest on Bonds to Code Acct. 1420-2, Wages of Paramedics and Crew Chiefs	1404, 1470
3496	10,000.00 - From Code Acct. 1476 to Code Acct. 1475, Dept. of Public Safety	1405, 1470
3497	290,000.00 - From Code Acct. 1977, Water Utilities to Code Acct. 1461, Bureau of Fire	1405, 1470
3498	642,443.00 - From various Dept. of Public Safety to Code Acct. 1443, Police Salaries and Wages, Bureau of Police	1405, 1470
3499	400,000.00 - From Code Acct. 45, Health Insurance to Code Acct. EMSTF, Dept. of Public Safety	1405, 1471
3505	600,000.00 - To various code accounts from Code Acct. SPP, Dept. of Parks & Recreation	1406, 1506
3506	8,000.00 - From Code Acct. 1859 to Code Acct. 1853, Dept. of Parks & Recreation	1406, 1507
3507	150,000.00 - From various code accounts to Code Acct. 1818, Dept. of Parks & Recreation	1406, 1507
3508	200,000.00 - To Code Acct. 1803, from Code Acct. 1982, Dept. of Water	1407, 1507
3509	2,500.00 - From Code Acct. 1800 to Code Acct. 1828, Dept. of Parks & Recreation	1407, 1507
3537	50,000.00 - From Code Acct. 1166 to Code Acct. 1167, Dept. of Environmental Services	1443, 1507
3538	20,000.00 - From Code Acct. 1169 to Code Acct. 1160-1, Dept. of Environmental Services	1443, 1508

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
3580	350,000.00 - From Code Acct. 1, from Code Acct. 1978 from Code Acct. 1922, Water Department to Code Acct. 1443-4, Dept. of Public Safety	1449, 1534
3581	5,000.00 - From Code Acct. 1405 to Code Acct. 1400-1, Dept. of Public Safety	1449, 1534
3582	20,000.00 - From Code Acct. 1405 to Code Acct. 1401, Dept. of Public Safety	1450, 1534
3608	55,000.00 - From Code Acct. 51 Postage to Code Acct. 1461, Fire Salaries, Dept. of Public Safety	1531, 1573
3609	75,000.00 - From Code Acct. 1016, Salaries Mayor's Office and From Code Acct. 1042, Salaries to Code Acct. 1461-1, Fire, Dept. of Public Safety	1531, 1574

TRUST FUND

BILL NO.	SUBJECT	PAGE
1714	Special Trust Fund as Tow Pound Trust Fund	164
1956	City Controller to create a special trust fund designated as Minority Business Training Trust Fund, Dept. of General Services	50, 134
2151	Creation of trust fund for City Clerk's Vending Trust Fund	148, 208
2293	Special Trust Fund for deposit of monies for City's REACT Fire Alarm System	270, 343
2322	Establishing trust fund for construction of Carnegie Science Center	296, 365
2354	Creation of special trust fund known as Civic Arena Trust Fund for deposits of funds	330
2354	Creation of special trust fund known as Civic Arena Trust Fund for deposits of funds	330, 388
2609	Trust Fund for the deposits of funds to be used for the Renovations to the City-County Building	497,591,627
2746	Trust Fund as Office of the City Controller's Vending Trust Fund	636, 730
3061	Trust fund known as Market Square Improvements Trust Fund	986, 1049

TRUST FUND

BILL NO.	SUBJECT	PAGE
3212	Trust fund for Non-Narcotic Proceeds Trust Fund, Dept. of Public Safety	1161, 1243
3256	Trust Fund for Asphalt Reimbursement	1228, 1318
3257	Trust Fund for Animal Control and Animal Welfare Amending No. 187/1983	1228, 1318
3268	URA to use funds by Landmarks Financial Corporation to Pasquale Navarro, \$490,000.00	1230, 1322
3294	Trust Fund designated as Pittsburgh Zoo Trust Fund	1235, 1326
3295	Expend funds trust fund Pittsburgh Aviary	1235, 1327
3296	Expend funds trust fund Schenley Park Rink	1235, 1327
3297	Expend funds trust fund Dept. of Parks & Recreation's Swimming Pool Program	1235, 1327
3298	Expend funds trust fund Phipps Conservatory	1235, 1328
3384	Establishment CDBG Program Model Cities Program Trust Fund	1349, 1418
3454	Controller's Financial Management Information System Trust Fund, \$202,687.34	1378, 1452
3500	Trust fund as Emergency Medical Services Trust Fund	1405, 1495
3606	Partial Checks to supplement City Employees called to active military service for health care and salary	1530, 1572

VACATIONS

BILL NO.	SUBJECT	PAGE
2906	38th Street, 6th Ward, 200 Ross Street, Jerome DeHore	825, 896
2414	Attica Street at the corner of Attica Street and Valonia Street, \$500.00	381, 439
2067	Basic Avenue between Niceville Street and Marilyn Street and a portion of Redpool Way, 31st Ward, 5th District	98, 183
3543	Blackberry Way, Duff Plan and Forty-Seventh Street, 9th Ward	1444, 1536
2297	Butterfield Way between Eloise Street and Brim Way, 22nd Ward	270, 337
2722	Clark Way, Clark Street, Tannehill Street, Protectory Place, Molo Street, Hoffer's Way, Unnamed Way, Peru Street, Keating Way and Peach Way, 3rd Ward	632, 737

VACATIONS

BILL NO.	SUBJECT	PAGE
2066	Cornelius Way from Howe Street to its Southerly terminus, 7th Ward, 8th District	98, 183
3378	Cygnat Street, North Braddock Avenue and Cygnat Street, 14th Ward	1348, 1416
2212	Daru Way between Rectenwald Street and Bede Way, 16th Ward	205, 250
2438	Pauline Place, Lot No. 5 and 6, 19th Ward, John R. Esposito	405, 554
2357	Semicir Street, Frietag Street and Unnamed Way	331, 439
2296	Tangent Way from Putnam Street, 12th Ward, recommending fee, \$14,000.00	270, 410
2213	Thirty-Ninth Street between Liberty Avenue and Ewing Street, 6th Ward, \$9,400.00	205, 479
2439	Unnamed Way and Perrilyn Street, 19th Ward, Tom Matrascia, \$200.00	405, 480
2068	Washville Street beginning at Glasgow Street, 20th Ward, 2nd Voting District	99, 183
2648	Watson Way, 4th Ward, Lexicon Properties, Inc., \$300.00	535, 615

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
2999	A.G. Trimble Co.	\$1,535.32	874, 933
2527	Adolph Suffrin, Inc.,	\$1,060.00	437, 505
2978	Albert Petrarca	\$1,400.00	871, 933
3078	Albert Petrarca	\$1,600.00	989, 1021
3607	Albert Petrarca	\$525.00	1531, 1573
2812	American Rent A Ride	\$768.00	722, 794
2991	American Rent A Ride, Inc.		873, 962
2773	Arthur I. Young	\$3,000.00	667, 756
3207	Arthur I. Young	\$2,000.00	1160, 1200
3563	Arthur I. Young	\$3,000.00	1447, 1508
2446	Barbara Bielevicz and Ronald D. Tumpa	\$56,727.70	406, 500
3258	Burton Signs & Specialities, Inc.	\$14,469.72	1229, 1311
3365	CSX Transportation	\$791.58	1346, 1413
3177	Carl Marshalwitz	\$300.00	1105, 1172
3111	Carson Street Gallery, Inc.	\$2,000.00	1038, 1108
3504	Chance Rides, Inc.	\$798.52	1406, 1506
3080	Charles R. & Grace E. Pleasant	\$781.50	989, 1042

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
2683	Charles and Dorothy Morrissey	\$10,000.00	578, 638
1941	Chujko Bros, Inc.	\$1,604.50	33, 70
3609	City Employees for military service		1530
2880	Commonwealth of PA	\$935.34	792, 846
3058	Commonwealth of PA	\$400.00	986, 1041
3157	Commonwealth of PA	\$3,737.40	1074, 1169
3317	Commonwealth of PA	\$21,660.00	1276, 1315
3484	Commonwealth of PA	\$1,440,000.00	1403, 1469
1945	Commonwealth of PA - PA State Police		
	Information Systems Division	\$3,737.40	34, 71
3578	Community College	\$3,822.00	1449, 1533
2927	Consolidated Rail Corp	\$721.40	840, 922
3222	Consolidated Rail Corporation	\$667.70	1195
3364	Consolidated Rail Corporation	\$695.92	1346, 1413
2452	Dairy Barn Southeastern Ohio Cul- tural Arts Center	\$7,200.00	407, 478
3275	Daniel E. Bonner	\$4,096.88	1232, 1312
2702	Darlene Lane	\$5,000.00	611, 669
2951	David Orwig	\$1,325.00	844, 928
3233	Davison Sand & Gravel Co.	\$2,167.04	1197, 1278
2745	Dawn Beckam	\$1,729.97	636, 729
2953	Dian M. Zippi	\$1,536.69	844, 928
1963	Donald Jones	\$55,000.00	51, 125
3596	Douglas Ligons	\$2,500.00	1503
2989	Dr. David Scott	\$1,136.73	873
1937	Dubin & Company, Inc.	\$1,655.00	32, 69
3100	Duquesne Light Company	\$940.00	1000, 1078
3151	Edward H. & Zola Kern	\$787.00	1074, 1167
3488	Edward W. & Jane Williams	\$4,210.00	1403, 1504
3566	Efigina Rhodes	\$787.50	1448, 1532
1901	Eileen Bayer Melani	\$1,125.00	2, 38
2912	Frank Popovich	\$836.05	826, 876
1900	Frank V. and Josephine LaMarca	\$1,246.50	2, 38
3114	General Electric	\$1,562.60	1039, 1109
2950	George Hall	\$1,261.00	844, 928
3208	George W. and Arlene Lapp, Jr.	\$762.00	1160, 1236
3450	Geraldine L. Engram	\$80,500.00	1377, 1451
3503	Geyer Printing Company, Inc.	\$10,000.00	1406, 1506
2447	Guiseppa Manno	\$3,679.00	406, 477
2102	Harry R. and Donald R. Burkhart	\$4,200.00	103, 180
3187	Helen M. Rice	\$1,043.99	1107, 1199
3451	Herman D. & Grace Milby	\$1,950.00	1377, 1451
2917	Honeywell Protection Services	\$1,880.00	827, 892
3452	Howard Hanna Real Estate	\$1,000.00	1377, 1451

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
1899	Jack L. Bergstein	\$1,000.00	2, 38
2139	Jeffrey Thomas	\$1,000.00	146, 207
2677	Joe Panepinto	\$200.00	577, 637
3418	John P. and John F. Abriola	\$825.00	1354, 1413
3121	John and Alice Sobocinski	\$20,000.00	1040, 1110
3567	Jonathan Ramsey	\$45,000.00	1448, 1532
3101	Joyce L. Brown	\$1,000.00	1000, 1078
1964	Leslie and Trudy Bailey	\$16,500.00	51, 125
3015	Lewis H. Dowdy	\$3,147.14	921, 965
1965	Lloyd and Leslie Russell	\$8,300.00	51, 129
3319	Lori Cochran	\$905.61	1276, 1356
3321	Louise Butler	\$2,950.00	1276, 1356
3564	Mark C. Southers	\$2,500.00	1447, 1508
3236	Martin J. Horgan	\$4,000.00	1198, 1300
2616	McCollister's Moving & Storage, Inc.	\$557.78	498, 579
3099	Michael F. & Cathyrn Belliotti	\$8,7500.00	1000, 1077
2441	Michael Facchiano Contracting, Inc.	\$11,299.45	405, 463
2949	Michael Hart	\$850.00	844, 928
3202	Michael Romanello	\$800.00	1159, 1236
3117	Millipore Corporation	\$4,579.60	1039, 1109
3579	Municipality of Bethal Park	\$2,717.00	1449, 1534
1990	Neighborhood Inc.	\$10,000.00	64, 151
1913	Northeastern Uniforms & Equip- ment	\$2,486.50	14, 53
2058	O.W.B. Corporation	\$39,750.00	97, 179
1970	Odell Munniefeld Demolition Co.	\$12,500.00	52, 130
2721	PA Dept. of Environmental Resources	\$2,000.00	632, 723
3175	PA Dept. of Transportation	\$4,740.63	1104, 1199
3374	PA Drilling Co.	\$3,500.00	1347, 1413
3186	Pamela Smoot	\$2,333.33	1107, 1199
3562	Pamela Smoot	\$5,666.66	1447, 1508
3502	Penn Medical Supply Company	\$1,995.00	1406, 1506
2450	Pennsylvania State Police	\$7,800.00	407, 478
3150	Percy Castaphney	\$1,103.00	1074, 1167
3116	Perkin-Elmer, Corp.	\$3,794.75	1039, 1109
3102	Peter F. Muscio	\$975.00	1000, 1078
3467	Phipps Friends	\$46,712.20	1380, 1465
2650	Pittsburgh Hilton and Towers	\$10,894.16	535, 613
2881	Pittsburgh Sports and Festival Federation	\$15,000.00	792
1914	Public Strategies, Inc.	\$1,600.00	14, 54
2150	Public Strategies, Inc.	\$1,600.00	148, 208
2591	Public Strategies, Inc.	\$1,600.00	463, 553

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
2707	Public Strategies, Inc.	\$1,600.00	612, 670
2884	Public Strategies, Inc.	\$1,600.00	793, 847
3088	Public Strategies, Inc.	\$1,600.00	990, 1043
3105	Public Strategies, Inc.	\$1,600.00	1001, 1079
3181	Public Strategies, Inc.	\$1,000.00	1106, 1199
3292	Public Strategies, Inc.	\$1,600.00	1234, 1314
3323	Public Strategies, Inc.	\$1,600.00	1276, 1357
3598	Public Strategies, Inc.	\$1,600.00	1503
3519	Reach All, Inc.	\$1609.94	1440, 1532
2952	Richard & Barbara Fox	\$1,080.00	844, 928
2936	Ro-Cel Electronics, Inc.	\$3,080.00	842, 893
3425	Rochez Bros., Inc.	\$821.52	1355, 1415
2475	Roy Miller Co.	\$875.00	430, 504
3565	Salim Howze	\$75.00	1448, 1509
3118	Sealing Specialist & Service Co.	\$839.00	1039, 1109
3011	Sentry Oils & Greases, Inc.	\$15,000.00	920, 965
2827	So-Deep, Inc.	\$4,706.35	750, 828
2774	St. John's Health and Hospital Center, Inc.	\$4,546.63	668, 756
2990	St. Paul's Seminary	\$2,715.00	873, 962
2667	Stadium Authority	\$1,820,000.00	574, 613
2918	Steed Audio, Inc.	\$1,125.00	827, 892
2146	Stephen B. and Jody Buchheit Spolar	\$1,845.00	148, 207
3320	Steve Yesnick	\$1,795.11	1276, 1356
3518	Tedesco & Son, Inc.	\$32,497.50	1440, 1531
1898	The Epiphany Association	\$1,050.00	1, 38
3597	The Kaiser Group	\$1,200.00	1503
2587	Theodore R. and Beatrice Vasser, Jr.	\$870.00	462, 552
3059	U.S. Nuclear Regulatory Commission	\$1,500.00	986, 1042
3115	U.S. Nuclear Regulatory Commission	\$1,500.00	1039, 1109
3447	U.S. Nuclear Regulatory Commission	\$1,500.00	1377, 1450
2682	URA, Homewood North Project	\$9,084.00	578, 638
1938	United Electric Motors Company	\$1,880.00	32, 69
2448	University of Pittsburgh	\$4,950.00	406, 477
3536	Vested Employees		1443, 1506
3249	Vested employees for unused sick time		1228, 1311
2585	WAMO FM/AM	\$5,300.00	462, 505
2742	Western Union	\$3,258.00	635, 729
2445	William Guy Sharra, Stephen Mollar and Reyna Barker	\$475,000.00	406, 464

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
2101	William M. Daniels	\$1,675.86	103, 179
3599	Xerox Corporation	\$3,672.00	1504

WESTERN UNION

BILL NO.	SUBJECT	PAGE
3444	Western Manor to convert the existing four-story building located at Bedford Avenue into 31 units	1376, 1474

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Wednesday, January 2, 1991

No. 1

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Wednesday, January 2, 1991

PRESENT:

MR. COYNE	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. COHEN

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ferlo presented

No. 1897 Resolution amending Resolution No. 1170, effective November 20, 1990 entitled "Providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the 'Community and Social Services Programs in Public Housing Communities' and the 'Rehabilitation and Modernization of Housing for Low and Moderate Income Persons' program (HA-90-01) at a cost not to exceed \$1,560,000', so as to read 'cost not to exceed \$1,510,000, chargeable to and payable from the 1990 CDBG Program - Housing Authority (HA-90-01) Project #4-65-01-0001-90-380-90-65, Index Code #604009, and \$50,000 chargeable to and payable from the 1990 CDBG Program - Housing Authority (HA-90-01) 'Community and Social Services Programs in Public Housing Communities' Project #4-65-01-0002-90-410-90-65, Index Code #604058."

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 1898 Resolution providing for the issuance of a \$1,050.00 warrant in favor of The Epiphany Association, 1145 Beechwood Boulevard, Pgh., PA 15217 in settlement of claim for sidewalk damage at 1145 Beechwood

Blvd., payable from Code Account No. 46, Judgments.

Also,

No. 1899 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Jack L. Bergstein in settlement of claim for vehicle damage to a 1990 Cadillac struck by a Bureau of Refuse truck on October 29, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 1900 Resolution providing for the issuance of a \$1,246.50 warrant in favor of Frank V. and Josephine LaMarca in settlement of claim for sidewalk damage at 5334-5338 Holmes Street, caused by the roots of City trees adjacent to the sidewalk, payable from Code Account No. 46, Judgments.

Also,

No. 1901 Resolution providing for the issuance of a \$1,125.00 warrant in favor of Eileen Bayer Melani in settlement of claim for sidewalk damage at 6370 Phillips Avenue, caused by the roots of City trees, payable from Code Account No. 46, Judgments.

Also,

No. 1902 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 1903 Resolution naming the Housing Traffic Building located at 2608 Penn Avenue, 2nd Ward, the "Sergeant James T. Blair Building." ---(SPONSORED BY MR. REGAN)

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 1904 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the Market Value of securities pledged as collateral by City Depositories as of September 28, 1990.

Which was read, received and filed.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. President, I'd like to know if we could communicate to the Administration on the resolution which all of us supported and you introduced on the Operation Desert Shield in relation to paying the compensation, to make up the difference between what they're receiving as Reservists and what they're expected to earn as City employees.

So, could we find out if the resolution was received by the Administration and if they are indeed are going to be supporting that and acting on it?

The Chair:

Mr. Perry has just informed me that they have signed the resolution. The Mayor has.

Mr. Ferlo:

Thank you.

The Chair:

Due to the fact that there are no bills on this afternoon's agenda, it is therefore cancelled. We will not meet on the Committee Session.

Mr. Regan:

Happy New Year.

Michelle Madoff moved to excuse Mr. Cohen for absence from the meeting.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, January 8, 1991

No. 2

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, January 8, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

The first order of business is Read and Adopted Resolutions. We are extremely honored today to have Mayor Masloff with us. She is going to present a Mayoral Proclamation to Mr. Robert Pease, retiring Executive Director of the Allegheny Conference.

Would Mr. Pease and Mayor Masloff please come forward? Good morning, Mayor.

Mayor Masloff:

Good morning and thank you.

Those of us who know Bob Pease have profound respect for him and for the service that he has given the City of Pittsburgh. He tells me that he is not going to be leaving, that he's going to be around and he's going to be still helping us.

Mayor Masloff presents

By virtue of the authority vested in me as Mayor of the City of Pittsburgh, I do hereby proclaim January 8, 1991 as Robert B. Pease Day in the City of Pittsburgh to recognize his long-time service to the community; to commend his work as Executive Director of the Allegheny Conference on Community Development as being a proven force in transforming the economy of the entire Pittsburgh region; to recognize the vital role Mr. Pease played in Renaissance II, the sec-

ond major wave of rebirth in Downtown Pittsburgh since World War II; to congratulate Mr. Pease for his participation in such projects as the revitalization of the Cultural District, the reconstruction of Grant Street, the rebirth of the Benedum Center for the Performing Arts, and, most recently, the establishment of a memorial to the late Pittsburgh Mayor Richard S. Caliguiri; on behalf of the City of Pittsburgh we wish Mr. Pease every success in his endeavors as he leaves the Conference on this highest of notes; congratulations and best wishes.

IN WITNESS, whereof I have hereunto set my hand and caused the Seal of the City of Pittsburgh to be affixed.

Mr. Pease:

On my calendar it said, "Mayor's Office - 9:30". It didn't say anything else. So, I came over this morning and found out what this is about. What that means is that I forgot my 45 minute speech so you're going to have to miss that. But I'll mail you all copies.

Seriously, thank you very much for that recognition. It really was unnecessary but very welcome. I appreciate it.

I was having lunch with Jake Milliones recently and he was teasing me a little bit about "Maybe you'll get a plaque." I said, "Jake, I don't want any plaques. The plaques I want are a better City every year and jobs for a lot of young people every year." And if that happens, that's all the plaque I want and a lot of you have helped make some of those things happen and I appreciate it.

If there's a secret to the things that have happened in Pittsburgh since World War II, it is that the people who hold public office and the people who work in the private sector have been willing to overcome some differences, work to-

gether for a common cause, and that's the improvement of the quality of life for the people of Southwestern Pennsylvania. So, you've all played a role, too, and I appreciate that.

Thank you very much for this recognition.

Michelle Madoff:

Bob, I want you to know that this Council also wanted to honor you and we're so delighted that the Mayor exerted her pre-eminence and did just that. But many of us who have known you like I have since my environmental days, know what a fine job and your commitment to the City.

And if you say that you're going to be around, I want you to know that we're going to be calling on you from time to time. We hope you'll be there for us.

The Chair:

Mayor, do you mind if we have a motion to approve your proclamation?

Mr. Cohen:

So moved.

Mr. Milliones seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much, Mayor, and Mr. Pease.

Mr. Darkins presents

No. 1918 WHEREAS, the George Washington Carver Luncheon is an event de-

signed to highlight the accomplishments and contribution of George Washington Carver; and

WHEREAS, George Washington Carver was an internationally known scientist, inventor, sculptor, musician and humanitarian; and

WHEREAS, the George Washington Carver Luncheon is sponsored by the local chapter of the National George Washington Carver Commemorative Day Association; and

WHEREAS, the Association wishes to extend to those in the community a greater sense of commitment, love and appreciation for the creative nature in all of us; and

WHEREAS, George Washington Carver Week will be observed on January 7th through the 11th in the City of Pittsburgh; and

WHEREAS, the proceeds from the gala event will go to provide greater opportunities for underprivileged children through the efforts of Camp Achievement.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the outstanding achievements of George Washington Carver and furthermore salutes Camp Achievement for its years of dedication to development of young people throughout the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mr. President, we have with us today Mrs. Arterious Moncrieff who is the President

of Camp Achievement. Along with her is Dr. Charlotte Shapairo and Mrs. Katherine Hamm. I'd like them to say a few words.

Mrs. Moncrieff:

Thank you, Councilman Darkins, and all of the Council and the Mayor, but I suppose she's gone now.

We're looking forward to January 11th, which is Friday of this week, to be one of the greatest events of our City. It's for a good cause, for underprivileged children. Most of our children come from the inner-city of Pittsburgh here. Our children of the City.

We've been in operation for nearly 50 years. This is our 47th year. So, we're asking for your support and your love and we're looking forward to seeing most of you who are here.

I, too, have Dr. Shapairo who has been a member of this organization for many, many years and also Katherine Hamm. If they would be allowed to say a few words also. Thank you.

Dr. Shapairo:

As Mrs. Moncrieff said, I've been active for a long time. She didn't want to give it away, almost 100 years, so you know it's been a long time.

It's my privilege to serve this organization for the community service they provide children. After all, the children are our future citizens and these are the ones we must develop into good leadership people.

I thank you, Councilmembers, I thank you, Councilman Darkins, for all the services you have provided this organization. Thank you.

Mrs. Hamm:

I wish to thank the Council and the Mayor for all of their good work that they've done for us. And I'd like to speak on behalf of the children because I've worked with the children at Camp Achievement for many years. And when I was a very young woman I helped to tag and to raise money for the children. And working with the children is a great reward. Thank you.

The Chair:

Thank you all.

Mr. Darkins presents

No. 1919 WHEREAS, Geraldo Rivera will be the guest speaker at the recognition dinner honoring eleven of Pittsburgh's most outstanding volunteers; and

WHEREAS, WPXI Television has provided the leadership in developing the "11 Who Care" awards program and has strengthened the volunteer spirit throughout the City of Pittsburgh; and

WHEREAS, the "11 Who Care" program is sponsored by the United Way Volunteer Action Center, Bell of Pennsylvania and WPXI-TV/Channel 11 and is a program that has recruited over 4,000 volunteers; and

WHEREAS, Geraldo Rivera is an accomplished journalist who has developed compelling stories on subjects that directly affect the American way of life; and

WHEREAS, Geraldo Rivera is the host of his own highly rated talk show and a man who exhibits a true compassion for people from all walks of life; and

WHEREAS, Geraldo Rivera is a man most worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Monday, January 7, 1991 as "Geraldo Rivera and 11 Who Care Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Thank you.

Mr. Ferlo:

A fundraising issue is being spearheaded by the Firefighters and my colleague, Mr. Regan, so obviously we need to get Mr. Regan up here.

I'd like the family members to come forward, whoever is available, and also Joey King, President of the Local Firefighters Union, for the following proclamation.

Mr. Ferlo and Mr. Regan present

No. 1920 WHEREAS, Zachary Blecher is four years old and has been diagnosed as having a rare, life threatening disease called Fanconi's Anemia; and

WHEREAS, Zachary's survival is dependent upon a bone marrow transplant. Without treatment, Fanconi Anemia victims usually die from bone marrow failure and its complications before they reach the age of ten. Zachary's eight year old brother, Aaron, is a perfect match for a transplant and the doctors are optimistic

about the operation and Zach's recovery; and

WHEREAS, Zachary lives in Pittsburgh which is a leading center for transplants in the world; however, currently there are no doctors treating this particular illness in Pittsburgh. Zachary and his family must fly to Paris, France where a leading expert in Fanconi's Anemia bone marrow transplants will perform the complex operation; and

WHEREAS, Zachary and his family left for Paris on December 28th and the operation will take place on January 17th, 1991; and

WHEREAS, Zachary and his family must stay in France for approximately four to six months for pre and post operative care in addition to the actual transplant and while health insurance will cover some medical costs, travel and living expenses are extremely high, and friends and family members are raising \$75,000 so that Zachary can have this chance for survival; and

WHEREAS, the Pittsburgh Firefighters Local No. 1, in conjunction with Councilman Baldy Regan and Councilman Jim Ferlo, are co-sponsoring a Night at the Races Fundraiser for Zachary Blecher on Friday, January 11, 1991 at the Holy Trinity Greek Orthodox Church on the North Side to aid in this life saving cause.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the efforts of Zachary's friends and family for their gallant fundraising efforts in raising most of the \$75,000 needed for this transplant and encourages residents to attend the fundraising event being held on January 11, 1991; and

BE IT FURTHER RESOLVED, that the Council proclaims Friday, January 11, 1991 to be Zachary Blecher Day in the City of Pitts-

burgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We have a number of friends here today. We have family members here, the grandparents, Martha and Donald Fitch are here as well as an aunt, Antoinette Fitch, and we have Joey King here, who is certainly no stranger to Council Chambers, of the Firefighters Local No. 1. So, I'll turn it over to my colleague, Mr. Regan, to say a few words and then we'd like to have Joey King to address all of you on this issue.

I just want to personally extend a thank you to the Firefighters Union. They have a great track record in this City for fundraising. We're all familiar with their initiatives year after year on behalf of burn patients with their collection of aluminum cans. This is another example of outstanding community initiative on their part.

So, in addition to saying a prayer for this family and for Zachary, I'm sure we're going to be successful in raising and helping them through the pain of the financial constraints.

So, I'd like to introduce Councilman Regan at this time.

Mr. Regan:

I just want to let you know that it's an honor to stand that close to Councilman Ferlo, even if it's for a fundraiser.

I'd like to commend the Fire Department. They've done a tremendous job. And Joe King and his people have been going door to

door on the North Side passing out these flyers for the fundraiser on Friday. We would like to have as many people there as we can because who could go and at anybody helping a 4 year old.

We're going to raise the \$75,000. Whatever it takes, we're going to do it. And I'd like to commend the Firefighters Union and my colleague, Mr. Ferlo.

Michelle Madoff:

Where do you send the check?

Mr. Regan:

We'll give it to you, Councilwoman.

Michelle Madoff:

Why don't you announce it? People might want to do it.

Mr. Regan:

I'll let Joe King from the Firefighters Union --

Michelle Madoff:

Let's announce it and people can send checks in right away. This goes out over the air.

Mr. King:

Good morning. First and foremost I just want to say on behalf of the Zachary Blecher family that they want to extend their extreme thanks and generosity to all the people in the City and Allegheny County in generating approximately \$59,000 of the \$75,000 bill that we're faced with.

We took this upon ourselves with Coun-

cilman Ferlo and Councilman Regan to simply try to again help one of our own that are in this City. Not only did we go out and try to touch homes of approximately 20,000 to 22,000 City residents over this past weekend, we've touched base with 170 different locals in Allegheny County through our Allegheny County Labor Council. It's a worthwhile effort.

Friday evening at approximately 7:00 we're going to have a great fundraiser. But you people, through your years of experience and generosity, have always reached out and helped anybody that was in need and we're simply asking you one more time. We need \$16,000 and I think with a cooperative effort on everybody's part we can raise this.

Anybody interested in making a donation on behalf of Zachary Blecher, you can send your donations to the Falconi Anemia Research Fund, Inc. in care of Zachary Blecher.

Again, thank you and if you're interested in a small game of chance, I hope to see you there Friday night. Thank you very much.

Mr. Regan:

We also hope to see the Fire Marshall over there Friday night. We hope to have that many people that we have to limit it. Joe, you know him personally, don't you?

Mr. Fitch, on behalf of your family, would you like to say a couple words?

Mr. Fitch:

As Zachary's grandfather, I'd like to accept the proclamation for Zachary Blecher's family.

I'd also like to thank the Council, I'd like to thank the Fire Department and all the City of

Pittsburgh for what they've done. Thank you very much.

Mr. Regan:

Thank you very much and we hope that we'll raise that \$75,000 for the boy, I guarantee you that.

The Chair:

A contribution would be sent to Funds For Zachary, 6393 Penn Avenue, Box 264, Pittsburgh, PA 15206. Checks should be made out to F.A. Research Fund, Inc., Zachary Blecher Fund. I'm sure that information will be provided in the media also.

Thank you all. It was a great resolution.

Mr. Regan:

I'd like to have the Garlock family please come up here. Bring little Justin with you. Doctor, come up here too, please. Tommy. Commander, come on up here please.

It is an honor for me to read this proclamation today on behalf of myself and my colleagues on Council.

Mr. Regan presents

No. 1921 WHEREAS, closeby the new Carnegie Science Center, Pittsburgh has added to its shoreline the Submarine USS Requin; and

WHEREAS, in its many years of service, only once has tragedy struck the USS Requin on September 21, 1962; and

WHEREAS, Marl H. Garlock, Jr., also known by many as "Tinker", was assigned to the USS Requin and unfortunately lost his life while working in the engine room; and

WHEREAS, "Tinker" Garlock was a loving son to his parents, Marl H. Garlock, Sr. and Helen Cogley Garlock and was born on November 30, 1941 in Everett, Pennsylvania and was well known by the townsfolk as fun loving and a caring person to his family; and

WHEREAS, "Tinker" Garlock was the brother of Robert, Richard, Joseph and Patrick Garlock and Mrs. Charles (Mary Lou) Taylor; and

WHEREAS, such a life so short and serving his country, may Marl Harlold "Tinker" Garlock's memory be preserved in the USS Requin and the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that in honor of "Tinker" Garlock and with respect to his family, the Council of the City of Pittsburgh hereby proclaims Tuesday, January 8, 1991 to be "Marl Harold 'Tinker' Garlock, Jr. Day" in the City of Pittsburgh. "IT CAN ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

We have his mother here, Helen Garlock, a very proud mother and a very fine American, his sister Mary Lou, and his brother, Commissioner Robert Garlock from Fulton County, and a brother, Joseph, a sister-in-law, Sandy, and their grandson, Justin, who I'm sure would have been very proud of his uncle. We have Commander Bill Hind from the Squadron 6 who didn't particularly command that submarine but he was a Commander overall in that fleet. We have Tom Flaherty, the Submarine

Coordinator from the Buhl Science Center, and Dr. Alphonse D. DeCenta, the Director of the Buhl Science Center.

Commissioner, we're honored and we know that the submarine will have a lasting place in our City and your brother's name will have a lasting memory in the City of Pittsburgh by the Requin being there.

Commissioner Garlock:

I'd like to thank the Councilmembers, the City of Pittsburgh, the people of Allegheny County -- I'm sorry; he was my brother.

On behalf of my family we brought one of Tink's uniforms to leave it with the Carnegie. Thank you.

Mr. Regan:

Thank you, Commissioner.

Doctor, would you please come up to accept the uniform on behalf of the Carnegie?

Dr. DeCenta:

It's a great privilege, unfortunately the circumstances are not quite as joyous as we would hope. But this gives us an opportunity to be grateful for and to thank all of the men who served on the Requin and in particular Tinker.

And on behalf of the Buhl Science Center, to become the Carnegie Science Center, we're very privileged to have the boat here which has had a successful opening this fall and will be reopening this spring and hopefully will be a major attraction and tool for education in the City of Pittsburgh for many years to come.

We want to thank the Garlocks and Mr. Regan for their support of this effort and for the

Science Center in general. Thank you very much.

Mr. Regan:

I would like to thank the Garlock family who got up at 4:00 this morning to be here with us. They've been traveling since that time this morning.

I would like to make one note, that Mrs. Garlock never opened up his belongings since the Navy sent them to her right after the incident. But they thought that since he was going to be honored in the City of Pittsburgh, that she opened up the box of his belongings and got out his uniform to present to the City of Pittsburgh.

I'd like to thank you, Ma'am. You know, our heart is always with you and your son will always have a lasting place with us in the City of Pittsburgh. Thank you.

The Chair:

Thank you all very much for coming today. It's an honor.

Mr. Coyne presented

No. 1905 Resolution providing for a professional services agreement or agreements or for the use of existing agreements for the purchase of fuel for City owned vehicles, at a cost not to exceed \$500,000.00, chargeable to and payable from Code Account 1144, Gasoline and Diesel Oil, Department of General Services.

Also,

No. 1906 Resolution providing for an Agreement or Agreements and/or a Contract or Contracts, or for the use of existing Agreements or Contracts for the leasing of office space, and the necessary services and equipment required

due to the relocation and housing of the various occupants of the Public Safety Building, at a cost not to exceed \$1,230,000.00, chargeable to and payable from Code Account 1128, Misc. Services, Department of General Services.

Also,

No. 1907 Resolution providing for an Agreement or Agreements or for the use of existing Agreements for an internship for graduate student(s) for a period of one year, from January 1, 1991, until December 31, 1991, to perform various energy related services for the Department of General Services, at a cost not to exceed \$21,580.00, payable from Code Account 1134, Misc. Services, Department of General Services.

Which were severally read and referred to the Committee on General Services.

Mr. Darkins presented

No. 1908 Resolution providing for an Agreement or Agreements or the use of existing Agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1991 and providing for the payment of the cost which is not to exceed \$650,000.00, chargeable to and payable from Code Account 1176, Misc. Services, Dept. of Environmental Services. The total of \$650,000.00 is for administration, marketing city neighborhoods and lot clean up services in relation to educating the public on litter.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the

bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 1909 An Ordinance amending and supplementing Title 5 of the Pittsburgh Code Chapter 549, Residential Parking Permit Program to amend Section 549.12 Parking Permit Term and Renewal to allow for biannual programs; Section 549.13 Permit Fees and Exceptions to allow for biannual fees and free replacements when a window is replaced; Section 549.02 Definitions, to allow for permits to be issued for some vehicles between 6,000 and 10,000 pounds; Section 549.10 Display of Parking Permits, to amend the individual responsible for determining the method of display from the Superintendent of Police to the Director of Public Safety; and to add Section 549.17, Minor Expansions, to allow for minor expansions.

Also,

No. 1910 Resolution authorizing the URA of Pgh. to enter into a Grant Agreement with South Side Local Development Company for an amount not to exceed \$210,000.00, payable from the Neighborhood Housing Fund for public improvements and site improvements to facilitate the residential development at Thirteenth and Breed Streets in the 17th Ward of the City of Pittsburgh. (COUNCIL DISTRICT #3)

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 1911 Resolution providing for the

acceptance by the City of Pittsburgh from the Western Pennsylvania Conservancy of certain property in the 19th, 20th and 24th Wards of the City of Pittsburgh, for public greenway purposes at no cost to the City of Pittsburgh.

Also,

No. 1912 Resolution Repealing Resolutions approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 1913 Resolution providing for the issuance of a warrant in favor of Northeastern Uniforms & Equipment, 3050 Smallman Street, Pgh., PA 15201 in the amount of \$2,486.50 in payment for the emergency purchase of riot helmet parts for the Bureau of Police, chargeable to and payable from Code Account 1450, Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on Finance.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ricciardi presented

No. 1914 Resolution providing for the

issuance of a warrant in favor of Public Strategies, Inc., 6927 Perrysville Avenue, Pittsburgh, PA 15202-1825 in the amount of \$1,600.00, in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of January, 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, District #3, City Council. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

The Chair presented

No. 1915 Communication from Louis DiNardo, Director, Department of General Services, submitting the regulations for Minority Business Enterprise/Women's Business Enterprise Contract Participation in accordance with Section 111.01(b) (2) of the Pittsburgh Code.

Also,

No. 1916 Communication from Thomas Flaherty, City Controller, submitting the statement of revenues collected from the transactions of the Schenley Park Ice Rink for the years ending 1988-89 and 1987-88 season.

Which were read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 1917 Communication from Mayor Masloff returning with her line item veto Council Bill 1744 entitled, "Resolution adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Pro-

gram".

Which was read.

(MAYOR'S VETO LETTER)

January 4, 1991

President and Members
Pittsburgh City Council
5th Floor, City-County Building
Pittsburgh, PA 15219

Dear President and Members:

I am writing this letter to let you know that I have thoroughly reviewed the 1991 Budget presented to me by Council and I am extremely pleased with next year's spending plan.

Council has adopted a budget that calls for no tax increase and maintains essential services to our citizens. I commend Council for its efforts to control costs.

While I am pleased with the overall spending plan, I have chosen to exercise the line item veto in two selected areas where I am concerned about contradictions of previously stated City policies.

ITEM #1: Highland Avenue reconstruction within Penn Circle \$500,000

At this juncture, reconstruction is not warranted for several reasons. The City has already done a great deal of work in this area and extensive discussions are continuing regarding further design and construction activity. Also, we have committed an additional \$400,000 for public space improvements for Highland Avenue. From the standpoint of appropriate procedure, one cannot simply add items to the Capital Budget for one neighborhood, district or community group without deleting others. Improve-

ments to our streets will continue to be part of an ongoing process in consultation with all neighborhoods according to greatest need and availability of resources. At this point, substantial capital dollars have been committed and spent on this endeavor which includes both Penn Avenue and public space improvements to Highland Avenue. It is equally important that private funds are committed for a fair share of improvements in this specific area. I am choosing to veto this measure at this time; however, discussions about Highland Avenue will continue and I am hopeful that we may reach agreement on this matter sometime in the near future depending on priorities, available revenues and private sector participation.

ITEM #2: Renovation of King Estate \$50,000

The matter of the renovation of the King Estate has been discussed in both public meetings and various community meetings after it was learned that a private individual was interested in buying the estate and renovating it to its original grandeur. According to the stipulations in the deed, there is an orderly process to be followed if the City no longer is able to operate and maintain the facility. As of the past year, in evaluating City resources, the stated policy of the City is to divest itself from the responsibility of owning, operating and maintaining the King Estate property in Highland Park. An open request for proposals was issued in August 1990 which expressed invitation to any qualified non-profit groups to submit proposals for assuming this responsibility. The City is in the midst of a process of accepting preliminary letters of interest for this project. Proposals from groups will be accepted until September 1, 1991 when a select committee will conduct an evaluation of such proposals. Initial estimates for minimal renovation and bringing the mansion up to building code standards for current usage far exceed the figure proposed in the budget and would contradict the policy of seeking other ap-

appropriate bodies to take over operation and maintenance to restore this grand mansion.

At this time, a number of community groups have come forward expressing an interest in the estate and should be given every chance to compete to develop appropriate strategies to take over the facility. The City will not enter into a contract with any individual community group until the deadline for submitting proposals has passed. It is my hope that this matter can be resolved soon after the September 1991 deadline.

During the past year, management of City resources required making tough choices. I have appreciated your support when the City needed to reallocate resources in order to maximize services to our citizens. This year has seen a very positive working relationship overall between Council and the administration and, for this, I am most appreciative. Working together, important gains have been made. I will continue to look for ways to economize as we work together to maintain our City's infrastructure, maintain services, renew our neighborhoods and offer new opportunities along our riverfronts.

While other cities have fallen on tough times, Pittsburgh enjoys a balanced budget and has maintained services all without a tax increase for nine years. It is essential that we make every effort to continue to improve our quality of life for all of our citizens. I am convinced that, with your help, Pittsburgh's reputation as a great city, a well managed city, and a city poised for the future will continue to grow.

As a clear sign of our united effort, I urge you to sustain these vetoes.

Sincerely,

Sophie Masloff

MAYOR

(END OF VETO LETTER)

Mr. Ferlo:

I think a motion is in order to override, and I'd like to discuss the override.

Are we doing these separately, Mr. Chairman? If so, I'd like to ask that we vote on them separately.

The Chair:

Yes, if it's your wish.

Mr. Ferlo:

On the issue of the King Estate. What alarms me about the veto in relation to the \$50,000 amendment to the Capital Budget for repairs to the King Estate is the reaction, or at least the comments, by the Administration, by the Mayor in particular, that somehow has already stated City policy that we have decided to divest ourselves from this public trust. I remind Council that King Estate is part of the Parks Department. It's as much City property and City domain as Flagstaff Hill or Phipps Conservatory or the swimming pools or anything of the sort.

I'm not interested in having a window dressing in the Capital Budget for the sake of having things appear in there. It was my hope that during the budget deliberations at the Planning Commission level, through our own budget proceedings, that we would try to get an indication from the Administration what their true feelings are regarding the King Estate.

What I am concerned about is that the Administration and the Mayor fulfill a stated commitment to work with an established community process, and that is the creation of the

Friends of the King Estate Organization, an organization that this Council saw fit to contribute \$10,000 towards in order to help them develop a feasibility plan for what the best use and what kinds of activities could go on in the King Estate in the future.

So, personally, I'm not going to vote to override the Mayor's veto on this issue. I'll respect the fact that the Administration, I believe, is committed to working through this process.

If, later on in the year, as a result of this deliberation, it becomes clear with public dollars, with in kind community support, with private foundation dollars, that the City needs to be a part of that partnership to retain and improve the King Estate, obviously at that time I will be lobbying for the City to make a commitment to retain this as a public trust.

The Chair:

So there is not a motion to override?

Mr. Ferlo:

I believe the formal motion has to be to override.

The Chair:

Correct.

Mr. Ferlo:

The motion is to override but personally I'm not voting to override. I am going to continue to lobby with the Administration that we work with this established process that has been set up, and that is to allow the community initiative and other non-profits to come forward with plans regarding the King Estate.

I also hope, personally, however, that

part of that plan will be the City fulfilling a commitment and not turning its back on a piece of property that is in our domain, a very valuable piece of property at that.

The Chair:

Well, there is no other motion to override, correct? Therefore, the veto stands and the item is not part of the budget.

Mr. Ferlo:

Thank you.

The Chair:

On the other item that has been vetoed.

Mr. Ferlo:

I would like to make a motion to override the Mayor's veto on the \$500,000 allocation.

Mr. Regan seconded the motion.

Mr. Ferlo:

For purposes of discussion, Mr. Chairman, on the override. The \$500,000, for all those individuals who have made comments about some of these projects being parochial to a district, this is not in my specific legislative district and I have never felt that when through the planning process and through the citizen participation process that when Council amends the budget that it reflects narrow parochial interest on the part of an elected official.

There are any number of projects in the Capital Budget and throughout City government, in fact there are hundreds of City projects that may be peculiar to any one district but they are commitments of City government as a

whole. The Crawfords-Roberts Housing Initiative is not peculiar or parochial to the Hill District; it's an important project that all of us support. Arlington Avenue Reconstruction is not peculiar to just areas of the South Side; it's an important project. I could go on and on and on with that list.

This also is an important project and I think we should override the Mayor's veto in hopes that the Administration will re-evaluate their position.

Initial meetings that took place with staff from Engineering and Construction and Public Works with the community representatives and the representatives of the business group in East Liberty were indeed very supportive of this project.

Just to recap on what the extent of this project is, the business community there has been working very strenuously for more than a year on raising monies which they've succeeded in doing in terms of creating a business revitalization zone along the Highland Avenue Corridor. They have made commitments and they have commitments from property owners in that area to raise a significant amount of money for major infrastructure improvements, the sidewalk, curbs, lighting, trees, etc.

Very similar to the East Allegheny experience which this Council supported over a year ago. The one problem in the East Liberty Corridor which was not unique and pressing in the East Ohio Street experience was that there's not a street. In East Liberty, due to the reconstruction many years ago, the City eliminated the street and the road bed along Highland Avenue. Part of this request for the additional \$500,000 is to finally make long-standing corrections to a problem that has been there for two decades and that is the elimination of the curb line and the road bed and parking spaces along a major and

probably third or fourth busy business district in the City of Pittsburgh.

So, the purpose of these monies is to compliment the significant support for the property owners in the district and to match other City dollars for work that will be done from the sidewalk in. This is initiative to replace the concrete bed which is badly in disrepair and at the same time replace the curb line.

And I would hope that we would continue to support this initiative and that through dialogue with the Administration that the community and business representatives there will make the Administration see the importance of doing this project completely.

Michelle Madoff:

I think that my colleague is acting in good faith; however, every one of us acts in good faith.

If you want to talk about priorities in the City, in the district I live in we happen to have a little area called the overlook which overlooks the whole City. And I don't think any member of this City when they have their relatives or business associate coming to this City doesn't go up to look at the City from Mount Washington. If you want to talk about disrepair, going down McArdle Roadway is taking your life in your hands. The wall is pouring water onto McArdle Roadway and it is freezing. Cars have turned around there; people have almost been killed. I could say, "My area first". Well, I lobby for my area.

On the same premise, there are areas in Squirrel Hill that really need repair. There are areas in Shadyside that need repair. There are areas in the South Side that could really use some help. Some of the buildings are being boarded up because we're not giving perhaps the

infrastructure support that is needed.

We are in a time of having to pull back our horns, I believe, because we are beginning to see what is happening with the economy.

And yes, I think it's like everything else. We need to get out and convince the Administration that whatever issue that we feel must be addressed is a priority and hope that within a very short time, if the fiscal picture of the City turns, that we will indeed be able to address all these needs.

But it is inappropriate for one or two Councilmembers to say, "My area" and forget the rest of the City. That's the one thing this Council hasn't done and why it has been such an effective Council last year, and we ought not to infringe on the prerogatives of the Administration in this sense. When I think they're wrong, I'm going to vote against them. But I think in this instance the lines of responsibility are very clearly defined and I don't think it would be appropriate for us to, in this instance, override the Mayor's veto.

Mr. Ferlo:

Somewhere the duties and responsibilities and obligations of each branch of government is getting rewritten here. I was led to believe as an elected official elected to City Council that the final budget, both the Capital Budget as well as the Operating Budget, is a budget that is adopted by City Council in cooperation with the Administration.

I was also led to believe that our budget hearings and proceedings, as well as the citizen participation proceedings before the Planning Commission, where not a charade and a sham but represent viable dialogue between citizens and business groups with the operational arms of government.

And that's the intent and purpose behind the initial support of trying to establish this as a priority just as much as other items that do exist in the Capital Budget reflect priorities. This is an example of a priority that personally, not only myself but many other people in that particular part of the area, would like to see established as an priority. It's not to be waived in opposition to McArdle Roadway or the Mount Washington Overlooks or 20 or 30 other projects parochial to any other district that I can name. That's not really the issue before us.

I think the issue before us is for Council to be consistent. We've already committed over \$600,000 for infrastructure, repairs to Fifth and Forbes Avenue, and we don't even have the formal commitment yet from the retail and property owners along that corridor. In fact, there's every indication that they are not supporting the revitalization zone that has been created.

Here we have a willing partner that is asking City government to be a partner. We have a business community that is organization that has gone out and gotten the commitment from the property owners to do the major infrastructure repair. They only want the City to be a willing partner and a full partner and that is for the City to correct past deeds that have been done wrongly. And that has been the elimination, I don't need to recant the history of the remodeling of the East Liberty Mall.

The Chair:

The motion is on the floor. We will now have a roll call vote. To override the veto, six votes are necessary.

Is there any further discussion on the motion?

And on the question, "Shall the motion

pass finally?

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo

AYES 1

NOES 8

VOTING NO:

Mr. Cohen

Mr. Milliones

Mr. Coyne

Mr. Regan

Mr. Darkins

Mr. Ricciardi

Michelle Madoff

Mr. Wagner

(Pres't)

And there not being two-thirds of the votes of Council in the affirmative, the motion was defeated.

The Chair:

The item is not overridden, therefore it is not part of the budget.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

Mr. President, I'm not particularly fond of the City's cable company, TCI of Pennsylvania, because it is a monopoly which is frequently increasing rates and in the past has not been really very sensitive to its customers. But TCI's rate and service changes that went into effect on January 3rd go even farther, bordering on monopolistic bad faith.

With inadequate notice, as many of us know, TCI scrambled the channels for all of its subscribers, made massive rate hikes, and actu-

ally took away 11 popular stations for subscribers of basic service. The basic service subscribers, 14,700 in all, got hit the worst. When they woke up on January 3rd, they found a nice New Year's present from TCI. Eleven stations that they had enjoyed in the past were eliminated, including the following: KBL which carries the Penguins and the Pirates; CNN which is a 24 hour national and international news service which is particularly important given our crisis in the Persian Gulf; Lifetime which has programming targeted for women; and Nickelodeon which has programming for children.

These stations and 7 others that thousands of Pittsburghers came to rely on were gone and the only way was to get them restored was to pay an extra \$5.50 per month, which is a 42 percent rate hike, and to waste hours of time on the phone trying to get TCI to answer. I personally tried 10 times to reach them by telephone and got 10 busy signals. I think they've shown an extreme lack of regard to their customers.

Fifty-eight percent of all Pittsburghers subscribe to cable television, and thousands of them are fed up. My office has received numerous complaints and I assume that other Councilmembers have received complaints also.

As for the notice that TCI provided, their corporate statement says that their customers were informed of these changes through inserts in their monthly statements and through the receipt of new channel cards. Who actually reads the inserts in their monthly statements, especially during the holiday season in December?

And as for their channel cards, let me show it to you. Here it is. Nowhere does it make any mention of any changes. Nowhere does it say that TCI is taking away your stations. Nowhere does it say that you'll be getting a massive rate hike. And I think that TCI's public notice was misleading.

In their statement, TCI's State Manager says, "We've created a package in Pittsburgh in response to the needs of our customers." Well, if there are any customers out there who told TCI that they needed to have their programs taken away, or that they needed to have their rates increased dramatically, please call my office. I'd like to talk to you.

Not that we needed such a harsh lesson in economics, but I think what this shows is how monopolies behave. Because there was federal deregulation of the cable industry in 1984, TCI doesn't have to account to anyone. They can raise their rates and scramble channels as much as they want, whenever they want, because they're the only game in town.

Congress took away the authority of local governments to regulate cable television and I think that we need to urge Congress in writing to restore that authority so that we have the option, at least, to keep cable rates reasonable. There is proposed regulation in Congress right now to do just that. On the Senate side, Senator Lieberman of Connecticut has introduced legislation and on the House side Congressman Shays.

So, I'd like to make a motion, Mr. President, that we send a letter to the President of the United States and also to the State Congressional Delegation to urge them to support this proposed legislation that would restore the authority of localities to regulate cable television rates.

Mr. Ferlo seconded the motion.

Mr. Regan:

Mr. President, we've had a petition being circulated for several weeks on the North Side asking for a public hearing and I would like the

honorable Councilman Brother Dan Cohen if he would join with me in conducting that public hearing when we get it set up.

Mr. Cohen:

I would be happy to.

Mr. Regan:

And I really didn't know that you were that knowledgeable about television.

Mr. Cohen:

I wasn't a few days ago.

Mr. Ferlo:

I just want to say that I applaud the resolution, obviously. I've been battling utility companies for ten years and I can honestly say that I'd rather do battle with Duquesne Light and Equitable Gas because at least there's a formal process in which I can litigate or raise arguments. There's a formal process for the public to oppose potential rate increases. There's a far more established procedure for information to be made available to the public. None of this is present in what happened over the last month.

As Mr. Cohen pointed out, and I think we're all in the same boat, personally I've battled PTCI on my own bill for the last several years, disaster stories which I don't want to recant now. I've been calling for the last two weeks trying to get change because I want the lower level back.

I'm so sick of PTCI that they can take their cable company and shove it as far as I'm concerned. And I think a lot of Pittsburghers feel that way.

I've asked the Solicitor to forward to me copies of all the contracts, which he did yester-

day, and I'm looking them over. I don't know what local handle we can get on whether or not, and when and if the new franchise contract becomes operative and before Council, but I hope that Mr. Cohen and Mr. Regan, all of us, will continue to look at some of these issues.

That bill almost passed the Congress late last year and is very close. I know that PTCI had a big shindig a month or so ago where they wine and dined a bunch of people and explained to them about the cable bill. But as far as I'm concerned, it's a terrible cable company. The same rates for \$5.00 about 4-1/2 years ago and now they're upwards of \$19.

Mr. Milliones:

I agree with Mr. Ferlo. I immediately am going to attempt to cancel both the higher level orders that I have. I think their behavior has been just outrageous and we really need to look into whatever we can do in terms of lobbying in Washington to do something about this situation because it's outrageous. It's a disgrace to the City.

Mr. Coyne:

Mr. Chairman, I think not only are our consumers getting charged more, but the reception that people receive, from the calls I'm getting, has been deteriorating. Before they switched, you got one level of picture on your screens, and now after they switched, you're getting lines and everything else. So, I think if TCI is going to expect the citizens who use their services to pay an increased amount, they should also increase their services to those people.

The Chair:

I agree with what everyone is saying and there's a multitude of other issues that I'm very --

Mr. Ferlo:

And the \$2 late payment.

The Chair:

The \$2 late payment prior to the service being received, and the \$3 channel changer which is paid for many times over.

Mr. Milliones:

You can't get them on the phone.

The Chair:

You can't get them on the phone.

Mr. Regan:

No refund blackouts.

Mr. Coyne:

Yes, when blackouts happen, they don't give you money back.

The Chair:

I'm very pleased that a public hearing will be held on the issue and I'm sure it will be aired out. And we will request the TCI people to be here for that hearing.

All those in favor of the motion? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

At least when the lights go out, Mr. Chairman, you don't get a bill for that part of the time that the lights are out. That doesn't exist with the cable company.

The Chair:

Good point.

Michelle Madoff:

On an equally important, perhaps more important issue. We have an invasion of privacy in our homes with these recorded messages, and I think I've alluded to it before. But I had occasion to talk to the Telephone Company this week, I needed some information, on their 800 number.

I was told by a young man on that line that not only do these telephone calls come in and invade our privacy and you can't hang up on them, but they've heard from people who are on respirators who need to be able to get to the phones in case of an emergency, and these telephone recordings are tying up their lines. "Hello there, wonderful; you just won a chance to go to the Zoo in Miami." But you can't get rid of them.

We've all been victims of some of these calls. Some of the calls are, "You are lucky, you just won whatever, but you have to buy \$5 million worth of vitamins. We have a special price for you."

The one I like particularly, and I've already spoken to Colville's office about it, and I will tell you as soon as I come up for air, I hope Council will join me but I will start a class action law suit. I know who it is, I know who they are, who call, they called me three times and I'm the one that tracked them down, but they call and say, "You can win a giant television set, no charge. All you have to do is call this number." And the number is \$5.98.

Well, it seems to me, my attorney friend, Dan Cohen, that the law of Pennsylvania says that gambling is illegal and that you know when

you become a multi-millionaire and \$10 million is on the way, you've been chosen in your mail for the books and magazines that you're going to purchase, it says that you can enter your name without any payment because that keeps it legal. It is then not a lottery. But this business that if you call there's no charge for putting your name in except \$5.98 is deceitful, it is gambling, and it is in violation of state law. We just haven't had a chance to pursue it but any help from my colleagues will be more than welcome.

And if you're listening out there, folks, don't respond. Just hang up. And then call our office and tell us who's calling if you get the number and we'll put it, if you want to join us, in our class action suit.

Mr. Ricciardi:

Mr. President, on a different note, I'm concerned that we have yet to receive a response from the City Solicitor's Office on this body's right and power to grant easements. As my colleagues will recall during the discussion of placing holiday symbols on City property, the City Solicitor said at the table that this body could not grant easements, could not initiate easements. And at the time, that went into our decision-making process.

Even though it's not an issue now, it's a non-issue, in the future we should have that decision by the City Solicitor's Office before it becomes an issue. I believe that this body does have the power to initiate easements. The City Solicitor said we do not. I believe we need written correspondence between us.

It has been now over a month, so I would respectfully ask you, Council President, to work with our City Clerk and have that decision to us by the end of the month.

The Chair:

Mr. Perry, would you please forward that in letter form to our City Solicitor and a copy to the Mayor's Office? Ask for a legal opinion. If we don't receive it, we'll go out and get our own legal opinion.

Mr. Ricciardi:

Thank you.

Mr. Ferlo:

Mr. Chairman, each year roughly around Christmas Eve we finally receive our \$426,000 from the County. That money should be forthcoming early in the year and not wait until Christmas Eve. This has happened now, I believe, at least three years in a row and I just wanted to respectfully communicate to the Administration and/or to Mr. Foerster regarding this money that we should get this money up front. It should be our money and we should receive it early in the year.

Secondly, on the bridge inspection truck. Mr. Chairman, it's very similar to the tiller truck experience. This truck has been a fiasco. It cost over \$260,000 when we purchased it. It has been out of operation more than it's been in operation over the last year and a half. If you look at the report from E & C regarding this bridge inspection truck, the transmission has been shot, the air tank leaks, malfunctioning limit switch to one of the booms, the two-way intercom system doesn't function, the transmission was not shifting properly, front brake line had wear, the main turret rotation was out of adjustment, a worn brake line, a modulator something that's a design problem, the right rear tire area was smoking when the truck was finally delivered last year back to the garage. Bridge inspectors themselves, instead of finding cracks on a bridge, they found cracks on the boom. The

hydraulic leak in the equipment. The bridge inspection truck was once again delivered to the garage and at that time they found that a holding valve replacement was out of whack. The foot spring lockouts malfunction. The all spring lockouts, the outrigger malfunctioning. The alternator bracket, etc., etc.

If this truck isn't a lemon or has major design problems, I don't know what does. Mr. Nader coined a phrase about the old Corvair a long time ago, unsafe at any speed. This truck is definitely unsafe and obviously I'm very concerned that it not be returned to City government.

The truck has been back at York, Pennsylvania, at the Reach Equipment, Inc. Company since last September. They've had it for roughly a little over three months now. As far as I'm concerned, they should keep this truck and we should get our money back and let's do something different.

What I would like to send, though, rather than belabor the point, I would like to send a communication to the Administration respectfully asking for an opinion as to what their plan of attack is. I think they need to totally re-evaluate the bridge inspection program, in addition to this whole truck. There are a variety of things that could be done. They could hire and rent a truck when and if they need it with the 80 percent re-imbursement. They could look at another truck maybe that's more suitable. They could look at hiring a consultant.

I don't know what they need to look at but whatever they need to look at in terms of addressing this issue, I respectfully request that we receive a report from the Administration updating us formally on this fiasco.

The Chair:

The City of Bridges should certainly have a bridge inspection truck in operation.

Mr. Ferlo:

I would like to see one in operation. But I'll tell you what, I wouldn't get in this truck and I hope nobody else gets in this truck.

The Chair:

Mr. Perry, did you get all that correspondence?

Mr. Cohen:

Very briefly on the same issue. I just want to say that I agree with Councilman Ferlo very much.

Could we also ask that the Law Department address this issue, too, because ultimately what this is going to come down to is an attempt by the City to recover its cost and see if they're making plans or if they're taking any actions to file a law suit against this company if we need to.

Michelle Madoff:

Mr. President, on the same subject. It seems to me that there's something probably going on with the Administration and what we need to do is find out what it is. And if the President of Council would send a note taking this letter and say what is happening and inform us, or invite someone to be here at our Wednesday

meeting to tell us, or whatever the proper procedure is. I can't believe the Administration is letting this ride. I'm sure they're not.

The Chair:

I'm pleased we're looking into it. I don't know if everyone recalls, we had a very serious injury to two City workers approximately seven years ago due to a bridge inspection truck that was not properly constructed and failed. Consequently, we had a serious injury and obviously with all the defects in this vehicle, potentially the same thing could happen again.

Mr. Regan:

Mr. President, I'd just like to comment on it and say that with the shape that these bridges are in, it's really embarrassing to have a truck that's going to check them out in bad shape too. Our bridges are in terrible shape.

The Chair:

You're right.

Michelle Madoff moved to approve the Minutes of Tuesday, December 18, 1990 and Wednesday, January 2, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Monday, January 14, 1991

No. 3

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Monday, January 14, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. COYNE

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 1952 WHEREAS, Louise R. Brown is one of the most dedicated civil servants in the history of the City of Pittsburgh; and

WHEREAS, Louise R. Brown distinguished herself as one of the most progressive Parks and Recreation Directors in the United States and thereby created innovative and award-winning programming for the City of Pittsburgh; and

WHEREAS, Louise R. Brown, is a political science graduate of Chatham College and the University of Pittsburgh; and

WHEREAS, Louise R. Brown provided leadership which resulted in the renovation and expansion of the Department of Parks and Recreation, the Pittsburgh Zoo, the Aviary, Phipps Conservatory and the Frick Nature Center; and

WHEREAS, Louise R. Brown spearheaded plans that resulted in the opening of 100 new playgrounds, 50 new tennis courts, 10 new community recreation facilities, 19 new swimming pools, 2 new ice skating rinks and the lighting of 50 ballfields in the City of Pittsburgh; and

WHEREAS, Louise R. Brown has been an active member of over 18 community and

City support organizations and has received over 12 achievement awards from her peers and fellow citizens; and

WHEREAS, Louise R. Brown has achieved many milestones in her life that have made Pittsburgh a better place to live and as she moves into another phase of her career, the people of the City of Pittsburgh can only give their heartfelt thanks for her years of unselfish service.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby honors Louise R. Brown for her years of sacrifice and service to the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Cohen:

This following resolution is being co-sponsored by myself and Councilman Darkins and Councilman Milliones. If everyone could come up, I'd appreciate it.

We have with us this morning Terry Province, the Pastor of St. Peter's United Church of Christ; Jean Kennedy from the Pittsburgh Presbytery; John McCarter of the United Universal Service Committee; Peter Weaver, the Pastor of the First United Methodist Church of Pittsburgh; Cathy Hamilton, the Pastor of South Side Presbyterian Church; and Robert Russell of Trinity AME Zionist Church. I'm happy to read the following resolution.

Mr. Cohen, Mr. Darkins and Mr. Milliones present

No. 1953 WHEREAS, Speak With One Voice Against Racism, an interfaith and interracial ministerial coalition formed in 1989, will conduct worship services and sermons for racial harmony during the weekend of January 18-20, 1991 in honor of Dr. Martin Luther King, Jr.'s birthday; and

WHEREAS, Speak With One Voice expects at least 200 churches and congregations from the Greater Pittsburgh area to participate in this year's celebration; and

WHEREAS, all denominations are affiliated with the project and Speak With One Voice has received endorsements from many other ecumenical partners for their efforts to take a stand against racism; and

WHEREAS, in demonstration of their outrage against racism, Speak With One Voice actively works to halt incidents such as the distribution of racist literature, job discrimination, and racial incidents on college campuses.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Speak With One Voice Against Racism for its efforts to alleviate racial injustice; and

BE IT FURTHER RESOLVED, that the Council urges all Pittsburghers to join with Speak With One Voice Against Racism in a celebration against racism in honor of the late Dr. Martin Luther King, Jr.

Mr. Cohen moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. This is really a tremendous effort by Speak With One Voice Against Racism. I think last year you were able to get about 130 churches and synagogues on board and this year it looks like you'll be able to get about 200. That's really a tremendous effort and I think it's based on the belief that racism is a universal problem, that really, I guess, we're all responsible for and we're all responsible for, each and every one of us, to take steps to end it. And what better time to celebrate this than at the birthday of Dr. Martin Luther King, Jr.

So, I'd like to thank Councilmen Darkins and Milliones for co-sponsoring this with me and I think Terry Province has a few words to say.

Mr. Province:

On behalf of the Speak With One Voice interfaith, interracial coalition based here in Pittsburgh, I would like to extend our heartfelt thanks to the City Council people who sponsored this resolution as well as to City Council for adopting it.

As you know, racism continues to be a serious problem in our communities as well as in the United States and the world, and we as people of faith have accepted the responsibility for trying to do something about that in our congregations. Our hope has been that that would have a spillover effect in the communities where we live as well as in the City of Pittsburgh and its because of that that we're particularly grateful to City Council for adding your voice to the Speak With One Voice Against Racism.

I'm happy to announce that we now have over 200 congregations right here in the West-

ern Pennsylvania area that have committed themselves to speaking loud and clear against the social evil of racism which persists in our communities, as you fully are aware.

So, we're glad that we receive your support and recognition and it helps us spread the word to the at-large community that from the pews into the communities we can be faithful to our commitment that we are all of a common humanity and we should enjoy respect and mutuality among ourselves rather than being divided along racial lines. Thank you.

Ms. Kennedy:

Thank you and thank you to the Members of Pittsburgh City Council for the recognition of the work of congregations within this area to combat racism. And thank you because your efforts to recognize and to promote efforts to eliminate racism is essential to the work that has been going on within congregations.

We realize that this is a persistent problem. It's pervasive. It does effect all of us. And without joint efforts, we know that this is a problem that cannot be solved. So, we thank you for this recognition.

The Chair:

Thank you all.

Mr. Cohen presented

No. 1922 Resolution further amending Res. No. 442, eff. June 4, 1987, as amended by Res. No. 263, eff. April 12, 1988, as amended by Res. No. 39, eff. February 15, 1990, entitled, "Providing for a Contract or Contracts for the Rehabilitation of the Swinburne Street Bridge; providing for a reimbursement Agreement or Agreements with the Commonwealth of Pa., Dept. of Transportation; and providing for the

payment of the cost thereof," by increasing the total project allocation by \$16,000.00 from \$2,530,000.00 to \$2,546,000.00, chargeable to and payable from the Swinburne Street Bridge Trust Fund, Dept. of Engineering and Construction. The City Controller is further authorized to transfer and encumber from time to time upon direction from the Director of the Dept. of Engineering and Construction, additional funds not to exceed \$1,546,000.00 from Code Account EC 86-15.

Also,

No. 1923 Resolution further amending Res. No. 1283, eff. January 1, 1986, as amended, entitled "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by increasing line item (EC 86-15) by \$16,000.00.

Also,

No. 1924 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Interior, National Parks Service for the Urban Parks & Recreation Recovery (UPARR) grant in connection with the Baxter Playground Rehabilitation Project; providing for the execution of a grant contract and for the filing of requisitions and other data; approving the Renovation; providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 1925 Resolution providing for a professional services agreement or agreements or for the use of existing agreements in connection with the City's MBE/WBE Certification and Compliance Program, at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account 1128, Misc. Services, Department of General Services.

Which was read and referred to the Committee on General Services.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 1926 Resolution providing for the letting of a Contract or Contracts, or to exercise against existing Contracts, for various repairs and renovations to City facilities, at a cost not to exceed \$200,000.00, chargeable to and payable from Capital Account 3-30-01-0003-91 (Project Fund), Index Code 831057, Bureau of Repairs and Operating Maintenance, Dept. of General Services.

Also,

No. 1927 Resolution providing for the letting of a Contract or Contracts and/or an Agreement or Agreements, or for the use of existing Contract(s) or Agreement(s) for the rehabilitation of the Fuel Island at the City Garage facility, at a cost not to exceed \$550,000.00, chargeable to and payable from

Capital Project Fund #3-30-01-0030-91, Index Code 831073, Fuel Island Rehabilitation, Dept. of General Services.

Also,

No. 1928 Resolution providing for the letting of a Contract or Contracts, or to exercise against existing Contracts, for various energy conservation projects for the Dept. of General Services, at a cost not to exceed \$225,000.00, chargeable to and payable from Capital Account 3-30-01-0004-91 (1989 Project Fund), Energy Conservation Improvements for Public Buildings, Dept. of General Services.

Also,

No. 1929 Resolution providing for a Contract or Contracts, or to exercise against existing Contracts, for furnishing and/or installing power reducers at various City ballfields, at a cost not to exceed \$365,000.00, chargeable to and payable from Capital Account 03-30-01-0020-91, Power Reducers for Ballfields, Dept. of General Services.

Which were severally read and referred to the Committee on General Services.

Mr. Ferlo presented

No. 1930 Resolution amending Res. 903, eff. August 30, 1990 entitled, "Resolution providing for an Agreement or Agreements with the following Community Based Organizations for community and economic development planning assistance; Lawrenceville Citizens Council, Inc., Lawrenceville Development Corporation, and the Pittsburgh Partnership for Neighborhood Development, at a cost not to exceed \$68,328.56," so as to increase the appropriation to \$71,893.05, chargeable to and payable from the Community Based Organization Trust Fund.

Also,

No. 1931 Resolution amending Section 10 of Res. No. 167, eff. March 7, 1983, as amended by Res. Nos. 394 and 692 of 1983; and by Res. No. 940 of 1984; and by Res. No. 634 of 1985; and by Res. Nos. 103, 177, 515 and 660 of 1986; and Res. Nos. 286, 443, 502 and 705 of 1987, Res. No. 549 of 1989 and Res. No. 137 of 1990, entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Dept. of Housing and Urban Development for a grant in connection with the 1983 Community Development Block Grant Program," so as to reduce the total grant allocation from \$27,539,000.00 to \$27,464,358.48 (-\$74,641.52). The purpose of this legislation is to "close-out" the "Emergency Jobs Bill" portion of the 1983 program by reducing the total grant allocation to reflect actual expenditures.

Also,

No. 1932 Resolution amending Res. No. 743, eff. August 24, 1983 entitled, "Providing for an Agreement or Agreements with Urban Youth Action, Inc., to operate an educational work-experience program for Pittsburgh youth", so as to reduce the encumbered amount from \$50,000.00 to \$48,224.00, chargeable to and payable from the 1983 CDBG "Emergency Jobs Bill Program".

Also,

No. 1933 Resolution amending Res. No. 742, eff. August 24, 1983 entitled, "Providing for an Agreement(s) with the Spring Garden Neighborhood Council to operate a Neighborhood Information and Improvement Program in the Spring Garden Neighborhood", so as to reduce the encumbered amount from \$100,000.00 to \$99,936.66, chargeable to and

payable from the 1983 CDBG Emergency Jobs Bill Program, Unspecified Local Options, (CC-83-01).

Also,

No. 1934 Resolution amending Res. No. 474 as approved June 6, 1983, entitled "Providing for the implementation of a Residential Sticker Parking Program in the Oakland Community, pursuant to Pittsburgh Code, Chapter 549" so as to have this street included in area B. Forbes Avenue from Halket to Coltart including only odd numbered apartments in 3401 Forbes Avenue. These expansions have been discussed with the neighborhood organizations and are not opposed.

Also,

No. 1935 Resolution amending Res. No. 60, appr. February 7, 1989 entitled "Amending Res. No. 637, appr. July 27, 1989, entitled "Providing for the implementation of a Residential Parking Permit Program in portions of the West Oakland community pursuant to Pittsburgh Code Chapter 549, so as to amending the streets included in Area "C" so as to have this street included in Area "C". Starting at 3404 Fifth Avenue along the South curblane of Fifth Avenue to Halket Street and starting at the intersection of Robinson and Fifth Avenue along the North curblane of Fifth Avenue to 2701 Fifth Avenue. These expansions have been discussed with the neighborhood organizations and are not opposed.

Also,

No. 1936 Resolution amending Res. No. 850, appr. October 19, 1987 entitled "Amending Res. No. 637, appr. July 27, 1984, entitled "Providing for the implementation of a Residential Sticker Parking Program in the

Oakland Community pursuant to Pittsburgh Code, Chapter 549", so as to amend the streets in Area D so as to have this street included in area D. And Forbes Avenue from Halket Street to Coltart Street including only the even numbered apartments in 3401 Forbes Avenue. These expansions have been discussed with the neighborhood organizations and are not opposed.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1937 Resolution providing for the issuance of a warrant or warrants in the amount of \$1,655.00 for payment to Dubin & Company, Inc., Michael Kletter, President, for the emergency repair of an overhead rolling door at the clarifier in the Water Treatment Plant, in order to prevent the freezing of the chemical feed lines behind the clarifier, chargeable to and payable from Code Account 1974, Repairs, Purification & Pumping Division, Department of Water.

Also,

No. 1938 Resolution providing for the issuance of a warrant or warrants totalling \$1,880.00 for payment to United Electric Motors Company, William Ferdy, President, for the emergency repair of a boiler feed pump, necessary to supply heat to the Water Treatment Plant and two pumping stations, chargeable to and payable from Code Account 1974, Repairs, Purification & Pumping Division, Department of Water.

Which were read and referred to the Committee on Finance.

Mr. Milliones presented

No. 1939 Resolution authorizing the incurring of nonelectoral debt for the purpose of providing funds for capital projects, by the issuance of General Obligation Notes, in the aggregate principal amount of \$30,000,000; accepting a proposal; rejecting proposals; providing the maturity, interest rate and redemption features; covenanting to pay debt service; pledging full faith, credit and taxing power for the payment of the notes; appointing a paying agent, registrar and sinking fund depositary; establishing a sinking fund; appropriating the note proceeds; ratifying prior advertisement and directing further advertisement; authorizing the payment of expenses; ratifying the preliminary official statement; authorizing approval of the final official statement; adopting a form of note; and repealing inconsistent resolutions.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 1940 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, by changing the Rate of Interest on certain delinquent Earned Income and Home Rule Taxes.

Also,

No. 1941 Resolution authorizing the

issuance of a warrant in favor of Chujko Bros., Inc., in the amount of \$1,604.50 in payment for rental of equipment used in the Caliguiri Statue Dedication Ceremony for the Mayor's Office, chargeable to and payable from Code Account 1017, Misc. Services, Office of the Mayor.

Also,

No. 1942 Resolution providing for the acceptance by the City of Pittsburgh from Charles Bardin of certain property in the 3rd Ward of the City of Pittsburgh, for public purposes at no cost to the City of Pittsburgh.

Also,

No. 1943 Resolution amending Res. No. 1295, Item G, eff. Dec. 18, 1990, which authorized the sale of a 2 story fra.-brk. house and a 1 story G.I. garage on a lot 20' x 138', 25th Ward, Block 22H, Lot 188, known as 1730 Brighton Place, to Lorenzo Woods for the sum of \$1,500.00. The reason for the above amendment is to correct the Treasurer Sale date. This date should read September 19, 1988 rather than September 18, 1989.

Also,

No. 1944 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 1945 Resolution providing for the issuance of a warrant in favor of Commonwealth of Pennsylvania-Pennsylvania State Police, Information Systems Division,

1800 Elmerton Avenue, Harrisburg, PA 17110, in the amount of \$3,737.40 in payment for the leasing of the terminal located at the Emergency Operations Center, Communications Section, chargeable to and payable from Code Account 1401, Misc. Services, Bureau of Administration, Department of Public Safety.

Which was read and referred to the Committee on Finance.

Also,

No. 1946 Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Department of Public Safety, which shall include, but shall not be limited to, written evaluations, testing, counseling, therapy consultations, training and criminal profiles, at a cost not to exceed \$48,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 1947 Communication from David B. Washington, Executive Director, Housing Authority of the City of Pittsburgh, submitting an alphabetical listing of Housing Authority Employees as of December 31, 1990.

Michelle Madoff:

Discussion on the report from the Housing Authority. May I respectfully request that a letter go out asking if the, well, to me they're ghost employees but I guess they're called part-time. They fill in the jobs of people who are on workers' comp. Some of them have been there four years and working full-time, 40 hours a week, and overtime, but their names don't show

up on the list.

I believe they're called Temps. They were supposed to be renamed as Fill-ins for people on workers' comp but that they were indeed full-time employees.

I'd like to know how that's being handled and was that included in the list we received because there were something like 60 to 100 names missing, and their salaries.

The Chair:

Mr. Perry, would you please request that information?

All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ricciardi:

Discussion. I understand what Councilwoman Madoff is saying, that we did not receive the names of the part-time employees, even though they're working full-time. But I think Ms. Madoff did not mean that they are ghost employees, that they are not working. They are working, they are getting paid, and they are not ghost employees. I believe ghost employees says something that they do not show up for work. It's very important for the audience to --

Michelle Madoff:

They're not on the list. Let me go back here very quickly. The President of Council said, "I am submitting a list to Council of the employees from the Housing Authority." I'm saying that if their name isn't on it, for all intents and purposes, they're a ghost. Not that they're not working, we don't know that they're working. I just wanted to get the information.

The Chair:

Mr. Ricciardi is just clarifying the proper definition of the term. They do work. We just want to know who the part-time employees are.

Michelle Madoff:

They're called Temps and they're really not Temps. They're full-time temps.

Also,

No. 1948 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the recent rate increase of TCI Cable, the transfer of Channels, and lack of Service.

Which were read, received and filed.

The Chair:

On the second item, we will schedule a public hearing on the cable increase within two weeks.

Michelle Madoff:

You're going to have to use Soldiers and Sailors Hall.

Mr. Cohen:

Mr. President, I want to thank Councilman Regan for circulating that petition so that we can have a public hearing on the recent rate and service change of TCI of Pennsylvania.

If I could take just one minute to do a brief follow up on that.

The Chair:

If we're going to talk about the issue, now isn't really the appropriate time in the meeting. If that's the will of Council, if you want to talk about that issue and get it behind us, fine. But do we want to talk about it -- It is the desire to talk about the procedural aspects of setting up the hearing?

Mr. Cohen:

Yes. My remarks will go to that.

In the last week or so I have been trying to reach TCI to have my cable service upgraded to be able to get the stations that were taken away, like CNN, for example. Given the crisis in the Persian Gulf, I think it's important for us to have that station. Last week we discussed, and I don't want to go through that discussion again, about the massive rate increases, the taking away of channels, the inability to reach operators from TCI.

I finally got through to TCI last week and they said that they were going to come to my house on Friday to change the television to upgrade the stations and they never arrived. This is just, I think, one more example of how TCI rides roughshod over their customers. They really do.

One of the things that I think a lot of us watched over the weekend was the Congressional debate on whether or not we should go to war in the Persian Gulf. Obviously a historic debate. And a couple members of Congress noted that Saddam Hussein follows the events in the Persian Gulf through CNN. I think it's pretty outrageous that Saddam Hussein can get CNN and we here in Pittsburgh can't.

So, I would like to congratulate Councilman Regan for circulating this petition for a

public hearing and also, as far as what we should address at that public hearing, I think it should be the rate increases, the taking away of the channels, the increase in installation fees, and finally, the question of whether or not we should consider soliciting bids for another cable company, because after looking through the contract --

The Chair:

Mr. Cohen, I have to interrupt you. We're not talking about the issue right now. We have just had a petition submitted for a public hearing. We're still under Presentation of Papers. I hope everyone realizes that. And I don't think now is the time to get into a debate on that issue. We could bring it up at the end of the agenda once we have voted on the various pieces of legislation.

Mr. Cohen:

Well, that was a roundabout way of thanking Councilman Regan for circulating that petition for a public hearing.

The Chair:

Very roundabout.

Is there any discussion on setting up the hearing?

Mr. Ferlo:

Yes. On the hearing itself, one thing that can be very frustrating is to have citizens come down to Council Chambers on an issue where we don't have any direct input and have no control or ability to do anything. We can be advocates and all of us obviously have spoken on this issue very clearly.

I would like to respectfully suggest that

we set up the hearing to allow our Legislative body to be there, specifically Congressman Coyne and our two United States Senators. These are people that can have some direct input by voting and bringing back to the House floor the Cable Regulation Bill.

So, I would like to respectfully request that the President establish this hearing and possibly, it might be a little bit unusual, but at least it would not be a frustrating event for citizens to come down here and only speak to Council. So, I'd like to suggest that we invite Congressman Coyne and our two U.S. Senators, Mr. Spector and Mr. Heinz, to be at this hearing.

The Chair:

Okay, we will do that.

I would like to entertain a motion to televise that hearing.

Mr. Milliones:

So moved.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

On the same subject. As you know, when we have people who wish to speak, they call Mike Perry at 255-2138. So, if they're listening, please remember that. But I have a sense that we're going to have so many people that we better have a stand-by room. We've done this before in the early days of Council, 12 years ago, when we had a hearing here that was so overwhelming that they put a note on the door saying, "Gone to the Diocese on the Boulevard of the Allies". We better have a back-up room.

The other thing I'd like to suggest which may not be popular with my colleagues but I think it's fair -- Mr. Ferlo pointed out that before we have people talking, and I agree, that we should have our Representatives who can, indeed, do something about it including the Administration because there will be a time when the contract expires that they should be here. Nothing is going to happen on this issue over night simply because there is a contract. We can't wipe it out if we wanted to. It would take whatever the length of the contract or legal time through courts and so on. We might want to wait until we can indeed get Mr. Coyne and Mr. Heinz and Mr. Spector and so on to be here.

Also, I think in all fairness, it would be imprudent for us as representatives of the public to meet ourselves with TCI and say, "What in blazes is going on? How did this happen? What are you going to do to correct it? And why did you send out your notices over Christmas so it got caught in the mail?" All this nonsense.

But I think we have an obligation to meet with them first of all, not that we may or may not be swayed or persuaded by what they say. And they also should be here to state their case and let people really go at them if, indeed, they were wrong.

Mr. Milliones:

I had the same concerns as Mr. Ferlo.

Mr. Regan:

I'd like to commend Councilman Cohen for his articulate delivery last week of a plea for the people of the City of Pittsburgh. I think it's been long overdue and he wasn't knowledgeable that we were circulating a petition. So, I commend him for such a nice job he did for the people last week. We represent the people and that's who I want to hear from. I want to hear from the

people before I hear from TCI or anybody else. I want to hear what the people have to say because they're the ones being offended. They're the ones paying.

Michelle Madoff:

Mr. President, I agree with everything that's been said here and I have no intention of attempting to end-run the public's right to be involved. But I think we need to be responsive to the public.

I keep going back to the process of the Variance Board of Appeals on the environment. The people who were involved made their first preliminary statements and everybody heard them. And then they knew what was going on so that when they got up to speak they spoke from having heard the positions. They may be opposed to the position of TCI, but at least they've heard it. So that we don't just have a kangaroo court and we don't just get up and scream and nothing happens.

The important thing is to work in an effective manner and have some information. Let the public get the information at the same time we get it, if necessary. I have no problem with that. TCI can state their case and the public can go right at them if they don't like their case. But it should be done in a forum that is productive and we come up with an end result.

I repeat, if we have to wait until such time as our Representatives in Washington are available, nothing is going to happen over night.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1949

Report of the Committee on Finance for January 9, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1898

A Resolution entitled, "Resolution providing for the issuance of a \$1,050.00 warrant in favor of The Epiphany Association in settlement of claim for sidewalk damage."

Which was read.

Also,

Bill No. 1899

A Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Jack L. Bergstein in settlement of claim for vehicle damage."

Which was read.

Also,

Bill No. 1900

A Resolution entitled, "Resolution providing for the issuance of a \$1,246.50 warrant in favor of Frank V. and Josephine LaMarca in settlement of claim for sidewalk damage."

Which was read.

Also,

Bill No. 1901

A Resolution entitled, "Resolution providing for the issuance of a \$1,125.00 warrant in favor of

Eileen Bayer Melani in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1902

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1950

Report of the Committee on Planning, Housing and Development for January 9, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1897

A Resolution entitled, "Resolution amending Resolution No. 1170, effective November 20, 1990 entitled, 'Providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the 'Community and Social Services Programs in Public Housing Communities' and the 'Rehabilitation and Modernization of Housing for Low and Moderate Income Persons' program (HA-90-

01) at a cost not to exceed \$1,560,000.00,' so as to read 'cost not to exceed \$1,510,000.00, chargeable to and payable from the 1990 CDBG Program - Housing Authority (HA-90-01) Project #4-65-01-0001-90-380-90-65, Index #604009, and \$50,000 chargeable and payable from the 1990 CDBG Program - Housing Authority (HA-90-01) 'Community and Social Services Programs in Public Housing Communities' Project #4-65-01-0002-90-410-90-65, Index #604058."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 1951

Report of the Committee on Public Safety for January 9, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1903

A Resolution entitled, "Resolution naming the Housing Traffic Division Building located at 2608 Penn Avenue, 2nd Ward, the 'Sergeant James T. Blair Building'."

---(SPONSORED BY MR. REGAN)

Which was read.

The Chair:

I want to thank you, Mr. Regan, for presenting this bill. I think it was a great idea and I would like to see the Administration move expeditiously to install that plaque on the building.

Mr. Regan:

Thank you.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. Chairman, a couple brief things. I think I've been contacted by at least two or three individuals, and possibly other Councilmembers have, regarding the pension fund. These are individuals who either were on disability or were on workers' compensation who came back onto the payroll. But during the period that they were off the City payroll, which I did not know, they were denied or monies were not being paid into the pension fund. These individuals would like to respectfully find a way to pay back into the fund so that they don't lose any tenure or any time with the City employment.

I think that's fair. If somebody goes off the payroll either because of a job related accident or an illness, they're bona fide workers, they come back onto the payroll, they continue their employment with the City, I don't think they should be jeopardized with loss of pension benefits and pension rights.

My understanding is that the Pension Board may be discussing this later on this month at their meeting. I just wanted to respectfully ask Council to join me in asking the Administration to give consideration to this issue and let us know what the response is.

So, very clearly, these people would like the ability to pay back into the fund so as to not have any loss of benefits. So I'd like to make that in the form of a motion.

Michelle Madoff seconded the motion.

Michelle Madoff:

In addition to what has been raised by Mr. Ferlo, he no doubt had the same call that I had, there is someone who was moved from the bargaining unit which would not be covered under this and to being covered but because of either illness or retirement there's a mix up as to whether this person is indeed covered under pension.

I think we need to make sure that we don't have to send people to lawyers all the time. We don't need the actions against the case. People sit down and talk to them and I think that sort of, in a sense, is what Mr. Ferlo is saying.

Mr. Ferlo:

On an unrelated matter, Mr. Chairman. It's my understanding that the Pittsburgh Pirates are having a large exposition in Monroeville. I think it's an event that draws thousands of Pittsburghers. I remind Council that this is not the Monroeville Pirates but the Pittsburgh Pirates at great expense to the City taxpayers.

I'd like to respectfully suggest that we send a letter to the Pirate Organization asking them that in the future they consider holding such large events here in the City of Pittsburgh, either at the Convention Center or some of the hotels. But given the tremendous support that City residents have demonstrated, as well as local government, for the Pirate Organization, I think they should hold such an event here in the City of Pittsburgh proper. We're talking about an event that attracts thousands of people from throughout Pittsburgh and Western Pennsylvania and I think it's only fair that they hold this event here in the City of Pittsburgh. I offer that in the form of a motion.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair:

I agree with you, Mr. Ferlo.

Mr. Ferlo:

Thirdly, Mr. Chairman, I want to thank my colleague, Mr. Regan, for organizing a wonderful fundraising event Friday night for Zachary. I believe over \$5,000 was raised.

I think both of us would like to join in thanking Mr. King and all the Firefighters who worked very hard in pulling off the great event.

I got to meet Mean Joe Green that evening; it was exciting. And there were a lot of great people there. It was a great event and a good amount of money was raised and I just think it demonstrates the tremendous community and volunteer track record that the Firefighters Union has in this City for good causes.

I just want to thank Mr. Regan again and all the folks who worked on this.

Mr. Regan:

I'd like to thank Councilman Ferlo and my fellow colleagues who showed up. It was a very bad evening over in the North Side, but we were able to raise over \$5,000 for Zachary.

I'd like to commend the Firefighters Union and Joe King. They did a terrific job and I think they're to be commended because they did the lion's share of the work.

The Councilman and I were lucky enough to host the show over there and I'd like to again thank my colleagues who showed up.

Michelle Madoff:

And those of us who didn't show up will make a contribution. At least I will anyway.

Mr. Cohen moved to approve the Minutes of Tuesday, January 8, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse **Mr. Coyne** for absence from the meeting.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones:

I move to recess this meeting and meet again Wednesday, January 16, 1991 immediately following the Standing Committee Meeting for the purpose of dealing with the General Obligation Bond that was introduced today.

Mr. Ferlo seconded the motion.

And on the motion of **Mr. Milliones**

Council recessed.

Pittsburgh, PA

Wednesday, January 16, 1991

And the time of recess having expired, Council reconvened and there were present:

Mr. Coyne

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Milliones

Mr. Regan

Mr. Ricciardi

Mr. Wagner

(Pres't)

ABSENT:

Mr. Cohen

The Chair:

The original purpose was to deal with the \$30 million issue. We tabled that in the previous meeting; therefore all we need to do is have a motion to adjourn.

Mr. Milliones moved to excuse **Mr. Cohen** for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, January 22, 1991

No. 4

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, January 22, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning. Would Jan Neffke please come up here?

Mr. President and Members of Council and our audience, I'm very happy to read the following resolution.

Mr. Cohen presents

No. 1980 WHEREAS, Jan Neffke is the public policy director for the Greater Pittsburgh YWCA and has been an employee of the YWCA for over 27 years; and

WHEREAS, Ms. Neffke has worked tirelessly to advance the cause of justice and equality in Pittsburgh, organizing countless educational events, press conferences and demonstrations for women's rights, civil rights, gay rights, world peace and the end to Apartheid in South Africa; and

WHEREAS, during her tenure at the YWCA, Ms. Neffke helped organize a major housing conference to address the problem of racial discrimination in housing in Pittsburgh and Allegheny County; initiated the Ad Hoc Committee to counter Ku Klux Klan activity still in existence today; and established Pennsylvania's first Peace Site, a visible symbol of commitment to the prevention of nuclear war, to cite just a few of her accomplishments; and

WHEREAS, Ms. Neffke has received the National YWCA Racial Justice Award on behalf of the Pittsburgh YWCA; has been honored by the South Hills Chapter of the National Organization for Women; and has received the National Conference of Christians and Jews Peoplehood Award for her efforts as a "Connector of People"; and

WHEREAS, Jan Neffke is leaving from her position at the YWCA after 27 years of service.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commemorates Jan Neffke's 27 years of devoted community service to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims January 22, 1991 to be "Jan Neffke Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Jan, I just wanted to take this opportunity to thank you on behalf of the City of Pittsburgh for your dedicated efforts on all these important causes.

Jan is leaving the YWCA which really is a loss to them, but I'm sure that she will continue to dedicate herself to these important causes, to the City of Pittsburgh. Congratulations.

Ms. Neffke:

Thank you, Dan, and thank you very much, Councilmembers. This is truly a great honor and I'm very pleased, especially since I have had the opportunity to work with so many of the Councilmembers over the years on women's issues and civil rights issues.

Even though I'm leaving the YWCA, as Dan said, I will continue to commit myself to work for peace, justice, freedom and dignity for everybody until that is a true reality. Thank you.

Mr. Ferlo:

I just want to add to the proclamation, Jan. I think I've probably worked with Jan for about 20 years here in the City. Besides being a great lady, one of the other things that could be put on this proclamation is Jan's efforts in helping to make Dr. King's birthday a national holiday and I just want to thank her for her leadership on that issue also. Thank you.

The Chair:

Thank you.

Mr. Ferlo:

I'd like all the Super Kids and the Super Representatives of the Super Playground to come up.

Mr. Ferlo presents

No. 1981 WHEREAS, the Super Playground will be built entirely by community volunteers in Highland Park between April 24 and April 28, 1991; and

WHEREAS, the Super Playground Committee is currently working to raise over \$100,000 in cash, and thousands of dollars of

donated materials and services, and, to date, over \$40,000 have been raised for the playground fund; and

WHEREAS, the following organizations, businesses and foundations have contributed generous gifts to the playground:

City of Pittsburgh	\$15,000
Highland Park Community Club	\$ 7,000
Western Pennsylvania Conservancy	\$ 3,000
Mary Jennings Hillman Foundation	\$ 2,500
Mine Safety Appliance	\$ 1,000
Phar-Mor	\$ 5,000
Heinz Company	\$ 5,000

WHEREAS, the Mellon Stuart Company and the Western Pennsylvania Conservancy among numerous other businesses has committed thousands of dollars of in-kind contributions to the construction to the playground; and

WHEREAS, many other grassroots fund-raising efforts have been initiated and have brought hundreds of additional dollars to the playground fund; and

WHEREAS, today, Mayor Sophie Masloff kicked off the Buy-A-Board Campaign by purchasing the first 10 boards of the more than 3,000 boards which will be used to build the playground; and

WHEREAS, volunteers will be "selling" boards for \$3.00 apiece throughout the City on Saturday, January 26, 1991 to support the Super Playground.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the fund-raising efforts of Super Playground Committee and encourages all Pittsburghers to support the playground effort by buying a board; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim today, Tuesday, January 22, 1991 and Saturday, January 26, 1991 to be Buy-A-Board Days in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We have a number of representatives here today. Marsha Dugan and Roseanne Levine are Co-Chairs of the Super Playground Committee and have been working for the last many months to bring this whole initiative together. We also have with us Doran Checkley and Katherine Stanton who have been very active working on the Fundraising Committee. We have Lou Karas who is with us today from the Kingsley Association, and I believe she's the Director of Information and Education. And we have several children here today from the Fulton School, Hampton Campus. We have Kelly Dugan, Tia Spells and Nora Guinn. We also have Rosalyn Durham here who is the Program Coordinator from Fulton School. We also have two other children here today; Nicole Bell and Ben Star. They're at the Fulton School, Jancey Street Campus. And Mr. Borelli, Jerry Borelli is here who is the Program Coordinator.

At this time I'd like to turn it over to Roseanne Levine to say a few words on behalf of the Playground Committee and to introduce one of the kids to speak about this playground. Thank you.

Ms. Levine:

I'd like to say that it's my honor and my

privilege to be working with so many fantastic volunteers and so much wonderful support from the community. This is a great City and we're working to make a contribution.

I'd like to turn this over to Nicole who would also like to say a few words.

Nicole Bell:

I thank you all for your support and your donations and giving us the money that we need and volunteers.

Mr. Ferlo:

I just want to thank the kids for coming down today. Did you have a good time? Yes.

I just want to stress one thing. Again, this is sort of an on-going campaign so, whether we like it or not, we're going to be back before Council between now and the time that we build this playground. We need close to 1,500 volunteers that will work during that four-day period. And I know with all the resources that Councilmembers have, as well as all the community organizations listening here today, I'm very confident that we can recruit those volunteers.

I have the distinction of serving as Co-Chair of that Volunteer Committee so I have the task of helping to recruit those people. I think we can do it and I don't want to be embarrassed so I know all of my colleagues are going to help me out. I've approached Mr. Wagner; he took a whole crew down to the Hurricane Hugo Disaster and he once commented that maybe he can get that crew back together to help build the playground.

We've been outreaching to unions and churches and community groups, religious organizations, senior citizen groups. Everybody out there can participate both in terms of

fundraising as well as when we actually build this playground.

We're going to make it happen. It's going to be a great asset to our City. We're going to do this and maybe then we'll build one north of the river and south of the river and we're going to go like a bat out of heck. So, thank you very much.

Mr. Regan:

I'd like to commend my friend, Councilman Ferlo. He hasn't lost a vote this year in Council.

And, Councilman, I know you can count on the Arc House to be there to help you because we're honoring the head of the Arc House this morning.

I'd like Mr. Chuck Cain and all his friends and family and relatives to come on up here. Everybody. Here's a guy that has helped almost as many people as the Salvation Army here in the City of Pittsburgh.

This is Chuck Cain from the Arc House and all his Arc Angels. And I want you to know, while Chuck's family and friends are on their way up here, this is Chuck's 7,001st day of sobriety. Let's give him a nice big hand on that.

Chuck, I don't even drink and you look a hell of a lot better than me.

Mr. Regan presents

No. 1982 WHEREAS, from the Northside, Charles E. Cain had been a housepainter and ran several used furniture stores on the North Side and Oakland; and

WHEREAS, in the early 1960's while visiting one of the hospitals, Chuck came upon a

number of problem drinkers who wanted to stop drinking but who had no place to live; and

WHEREAS, Chuck said, "Call me when you leave the hospital and I will help you somehow."; and

WHEREAS, a few days later, seven men called for help and the roots of the Arc House were started with the renting of a three room house. A week later, 35 men were being helped and by the end of the year, Chuck was taking care of 200 men; and

WHEREAS, in 1966, the Arc House was incorporated as a non-profit shelter serving men and women alcoholics, and is about to celebrate its 25th year of caring and helping; and

WHEREAS, during this time, over 30,000 people have passed through the doors of the Arc House with no regard to sex, color or religion. Chuck, known as a strict disciplinarian, has never closed the door on anyone who needed help; and

WHEREAS, Chuck has worked with alcoholics when it was not fashionable to do so and continues to move ahead, helping with a short saying, "One day at a time.".

NOW, THEREFORE, BE IT RESOLVED, that in honor of Charles E. Cain and the Arc House, the Council of the City of Pittsburgh proclaims Tuesday, January 22, 1991 to be Charles E. Cain Day in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

Chuck, I'd like to present this proclamation to you and let you know how proud I am of you. And if you would say a few words, we'd be very glad.

Mr. Cain:

Thank you very much, Baldy and Councilpeople. I'll tell you, it sure is nice to have friends. God has sure been good to me. 7,001 days ago I got sober and sane. I was a crazy son of a gun. You know, that alcohol is a real killer; it's killed some of my best friends.

The good Lord said, "Well, I think maybe you ought to try to help some people", and thank God I've been able to do that for the past going on 25 years. We never want to stop; we just want to keep going.

It seems like the disease of alcoholism continues to grow and it just seems like everybody is being affected by it. And now with all these problems, with the war, it causes stress and stress causes drinking and it just makes thing worse and worse.

But this is certainly an honor and thank you very much. I appreciate it.

Mr. Regan:

I'd like to introduce my hero when I was a kid. I didn't have a father and he didn't have a father and I took all his hand-me-down stuff from baseball gloves to jackets. Mike Kearns is the President of the Arc House. Come on up here, Mike.

Mr. Kearns:

Thank you, Councilman Regan, and thank you to all the Arc Angels.

My association with Chuck over the years has given me the true meaning of the word charity and love. I think I denoted a tear in the eye of a tough guy.

Chuck, we all love you. Keep up the good work, one day at a time.

Mr. Regan:

Thank you, Chuck, and good luck and God bless you.

The Chair:

Members of Council, the next resolution we're going from actually the previous resolution of Angels to the Rebels. So, I'd like to ask the Seton-LaSalle Rebels, Head Coach Greg Gattuso and his four Captains to please step forward on behalf of receiving this resolution for the school.

In addition to Head Coach Greg Gattuso we have David Joseph, Paul Duffy, Matt Neiss and Marty Devine. We tried to get the 76 people on the resolution in here but that wasn't possible, so we have four Team Captains and the Head Coach.

Prior to reading the resolution I just want to say that it's an honor to have them here. Greg Gattuso has been Coach now for two years and has literally turned the team around. You were 0-10, 7-4 last year, and this year they won the WPIAL Championship. Greg is a graduate of Seton-LaSalle and a former star at Penn State University.

The Chair presents

No. 1983 WHEREAS, the Seton-LaSalle Rebels High School Football Team won the 1990 WPIAL Class AAA Championship and

advanced to the PIAA Title Game in Hershey, Pennsylvania; and

WHEREAS, the Rebels enjoyed a successful season and finished with a record of 12 wins and 3 losses; and

WHEREAS, the Seton-LaSalle Rebels Championship Team is comprised of the following players: James Wallace, Joe Ranft, Matt Neiss, David Joseph, Aaron Buechel, Jim Lowen, Scott Radakovich, Josh Syzak, Rob Locke, Joe Neckerman, Brian Wahlster, Ken Rothhaar, Tom DePasquale, Mark Bernotas, Anthony Joseph, John Waters, Marty Devine, Mark DeIuliis, John Tweardy, Robert Thompson, Paul Duffy, Pete Schmidt, Jeff Owens, Anthony Conroy, Brian Waid, Damon Rosol, Robert Schultz, David Renk, Andy Riley, Matt Rossa, Aaron Jedlick, Bill Dominick, Mike Orsi, Nick Drausslach, Thomas Leheny, Jeff Taylor, Mark Rao, Ron Luffy, Dennis Toomey, Bill Vavro, Eric Niederberger, Gary Dunn, Jeff Renk, Tim Shannon, Chris Mitrik and Kevin McFeaters; and

WHEREAS, the other key people contributing to the success of this championship include Head Coach Greg Gattuso, Assistant Coaches Lou Cerro, Dick Frank, Mike Gaetano, Terry Totten, Mike Kennedy, Bud Cambest, Frank DiPerna, Eric Dieterle, Principal Brother Richard Grzeskiewicz, Assistant Principals James L. Palmer and Sister Brigid Marie Grandey, and Athletic Director Charles Rutter; and

WHEREAS, another ingredient of this championship team include the support of Cheerleader Moderator Janet Cuneen, and Cheerleaders Janell Cuneen, Jessica Marino, Kathie Sommers, Abby Nassif, Julie Kearney, Beth Hauser, Mary Burge, Janae Cuneen, Jen Kawalkin, Autumn Verno, Alison Nipar, Jen Smith, Justina Pusi, Lea Kuzel, Kelly Allen and

Jen Howells.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the Seton-LaSalle Rebels on their 1990 Championship season.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

I want to state that first off I won a lunch bet with two of my colleagues when all of you played the WPIAL AAA Championship. I'm not going to mention any names but it's two guys that represent the North Side.

I attended many of the games this year and I really saw a very well-coached, well-managed team with good young athletes, people that were very respectful, many of which are from the district I represent in the South Hills. I was very proud to watch all of you and to see how this team has developed over the last couple of years.

And it's just not sports. I know many of us present resolutions relating to championships with athletic teams. But really what it involves is the development of our youth and utilizing sports and football as a vehicle to accomplish that.

So, I can't say enough about what Seton-LaSalle has done. Greg, I can't say enough about what you have done. I can't compliment all of you, the Captains, enough for doing a great job.

We have 76 resolutions here and it's up to the Captains to take them back and distribute them to everyone.

Greg, I'd like you to say a few words and I'd like one of the young men to say a few words also.

Mr. Gattuso:

I'd like to thank City Council for having us down here. It's a great honor for us and the kids to come down here in front of everybody. And there's a couple of our Seton-LaSalle alumni back there hiding in the corner. He was the trouble-maker.

But it's nice to see people honor these young student athletes for their achievement on the football field and their hard work in the community. Unfortunately, we couldn't bring all of the football players because of academic reasons, but we brought the four best students we have, I guess.

We're real proud to be here and I'd like to thank everyone again. And I'm sorry for costing you guys a lunch date but he took a big chance, believe me, because everyone knows how good Perry was. We just played a very good game. They're a very good team and they showed a lot of class after the football game. I'd like to thank everyone.

Paul Duffy:

Once again I'd just like to say what an honor it is for us to be recognized here in front of City Council. We obtained a goal this year which was once thought to be unobtainable by our team and we hope that we set an example throughout the school and the community of what hard work and determination can bring you in any field that you choose.

The Chair:

Thank you all.

Mr. Coyne presented

No. 1954 Resolution amending Res. No. 242, eff. March 20, 1990, entitled, "Providing for the letting of a Contract or Contracts, or to exercise against existing Contracts, for various energy conservation projects for the Dept. of General Services and providing for the payment of the cost thereof," by decreasing the total project allocation by \$112,886.00 from \$190,000.00 to \$77,114.00, chargeable to and payable from Capital Account 3-30-01-0004-90 (1989 Project Fund), Energy Conservation Improvements for Public Buildings, Department of General Services.

Which was read and referred to the Committee on General Services.

Also,

No. 1955 Resolution providing for the transfer of funds totalling \$112,886.00 from Capital Account 3-30-01-0004-90, Index Code 830158, Energy Conservation Improvements for Public Buildings, to the Duquesne Light Refund Trust Fund (DLRTF), for the purpose of purchasing and installing energy conservation lighting at Phipps Conservatory.

Which was read and referred to the Committee on Finance.

Also,

No. 1956 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Minority Business Training Trust Fund, for the deposit of cash, checks and contributions from individuals or agencies attending City sponsored seminars and workshops relating to the enhancement of minority and women owned businesses participating in City contracts, and authorizing

the use of funds deposited therein by the Dept. of General Services for any and all expenses associated with the costs of said workshops and seminars.

Which was read and referred to the Committee on General Services.

Mr. Darkins presented

No. 1957 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the design, lease purchase and installation of high pressure sodium street lighting for the Dept. of Public Works, for a period not to exceed five (5) years; at a cost not to exceed \$1,000,000.00 for 1991, chargeable to and payable from Code Account 1545, Street Lighting, and amounts appropriated from time to time in succeeding calendar years.

Also,

No. 1958 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of a radio controlled calcium chloride dispensing system, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1612-4, Salt.

Also,

No. 1959 Resolution amending Res. No. 1031, eff. Oct. 12, 1990, entitled, "Providing for an Agreement or Agreements, or the use of existing Agreements with the Pittsburgh Public Parking Authority, for the renovation or repair of various parking lots throughout the City of Pittsburgh; and also to create a trust fund entitled "Schenley Park Plaza and Various Other Parking Lots Trust Fund," by changing the title of the Code Account and by entering into a Contract or Contracts, or the use of existing Contracts. Chargeable to and payable from Schenley Park Plaza and Various Other Parking

Lots Trust Fund. (PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 1960 Resolution approving a Conditional Use Exception under Section 993.01(a)(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to St. Margaret's Memorial Hospital for authorization to operate a Helistop on their hospital campus, 12th Ward. (COUNCIL DISTRICT #9)

Also,

No. 1961 Resolution authorizing a Cooperation Agreement with the URA of Pgh. providing for the designation and implementation of \$150,000 of developer private funds as the local matching share for a loan applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs. The building program will cost approx. \$3,288,000 to be partially financed under Authority and DCA programs. Herr's Island DCA Application-Cooperation Agreement. (COUNCIL DISTRICT #1)

Also,

No. 1962 Resolution authorizing the

URA of Pgh. to submit an application for financial assistance for a loan in an amount not to exceed \$150,000 to the Pennsylvania Dept. of Community Affairs for the development of Herr's Island Redevelopment Area No. 45. Herr's Island DCA Application-Loan for Development of Gamma Sports Facility. (COUNCIL DISTRICT #1)

Which were severally read and referred to the Committee on Planning, Housing and Development

Mr. Milllones presented

No. 1963 Resolution providing for the issuance of a warrant in the sum of \$55,000.00 to Donald Jones, c/o Jack Hickton, Esq., his attorney, Jack Hickton & Associates, 615 Washington Road, Mt. Lebanon, PA 15228 in full and final settlement of an alleged accident wherein plaintiff sustained a fall on a deteriorated condition on West Carson Street in the City of Pittsburgh on or about April 14, 1986, payable from Code Account No. 46, Judgments.

Also,

No. 1964 Resolution providing for the issuance of a warrant in the amount of \$16,500.00 to Leslie Bailey and Trudy Bailey, c/o Jonathan E. Jones, Esq., their attorney, Ogg, Jones, DeSimone & Ignelzi, 245 Fort Pitt Boulevard, Riverview Place-Fifth Floor, Pgh., PA 15222, in full settlement of an alleged nighttime fall resulting from a pothole in the crosswalk on Cedar Avenue and Tripoli Street in the City of Pittsburgh, payable from Code Account No. 46, Judgments.

Also,

No. 1965 Resolution providing for the issuance of a warrant in the amount of \$8,300.00

to Lloyd Russell and Leslie Russell, c/o John P. Gismondi, Esquire, Gismondi & Margolis, Suite 606, Grant Building, Pgh., PA 15219 in full settlement of a claim for personal injury arising from an accident that occurred on December 24, 1987 on the Boulevard of the Allies and Wood street. Mr. Russell was driving his vehicle in a Southerly direction on Wood Street in downtown Pittsburgh, he had the green light in his favor when a City of Pittsburgh fire vehicle proceeded through the red light, striking Mr. Russell's vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 1966 Resolution amending Res. No. 170 of 1990 entitled, "Resolution authorizing an Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection of delinquent taxes, fines, penalties and interest for the City of Pittsburgh at a cost not to exceed \$25,000, chargeable to and payable from Code Account 1063, Misc. Services, Dept. of Finance," by increasing the total cost by \$250,000.00 from \$25,000.00 to \$275,000.00, chargeable to and payable from Code Account 1063, Misc. Services, Dept. of Finance. This amendment would enable the City to collect up to \$1,000,000.00 in delinquent taxes.

Also,

No. 1967 Resolution permitting the Allegheny County Residential Finance Authority to refinance the Lemington Home for the Aged located at 1625 Lincoln Avenue. The URA is agreeable to the financing being done through the County Authority.

Also,

No. 1968 Resolution granting unto Carl W. Dorow, of the City of Pittsburgh, an

easement for a driveway for ingress and egress to a single-family dwelling and garage across property owned by the Three Taxing Bodies in the 26th Ward of the City of Pittsburgh, designated as Block 116 E, Lot 246, 327 Gould Avenue, located in the Dunlap Place Rev. Plan, Lots 117 and 118, P.B. 27, page 66, being 50 feet by 99.22 feet in size. The consideration for this easement is One (\$1.00) Dollar.

Also,

No. 1969 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 1970 Resolution authorizing the issuance of a warrant in the amount of \$12,500.00 in favor of Odell Minniefield Demolition Co., 228 Mansion Street, Pgh., PA 15207 in payment of contract for demolition and removal of a 3 story brick commercial & dwelling located at 4829 Second Avenue, 15th Ward, chargeable to and payable from Code Account Demolition Trust Fund, Pittsburgh National Bank, STF #2.

Which was read and referred to the Committee on Finance.

Also,

No. 1971 Resolution providing for an Agreement or Agreements with the Diocese of Greensburg, Saint Joseph's Hall for the lodging and subsistence surrounding the training of Police Recruits, at a cost not to exceed \$43,945.20, chargeable to and payable from

Code Account (PSTA), Bureau of Administration, Dept. of Public Safety.

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 1972 Communication from Edward F. Dougherty, Director of Finance, Public Parking Authority of Pittsburgh, submitting the Employee Position and Starting Date Report for 1991.

Also,

No. 1973 Communication from Ronald A. Mussman, Comptroller, Allegheny County Sanitary Authority, submitting a list of the Authority's personnel as of December 31, 1990.

Also,

No. 1974 Communication from Thomas Flaherty, City Controller, submitting the Performance Audit of the Housing Authority of the City of Pittsburgh, October 18, 1990.

Which were severally read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1975

Report of the Committee on Finance for January 16, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1913

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Northeastern Uniforms & Equipment, 3050 Smallman Street, Pittsburgh, PA 15201 in the amount of \$2,486.50 in payment for the emergency purchase of riot helmet parts for the Bureau of Police and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1912

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1914

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., 6927 Perrysville Avenue, Pittsburgh, PA 15202-1825 in the amount of \$1,600.00, in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of January, 1991."
---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1976

Report of the Committee on Public Works for January 16, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1908

A Resolution entitled, "Resolution providing for an agreement or agreements or the use of existing agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1991 and providing for the payment of the cost which is not to exceed \$650,000 and is chargeable to and payable from Code Account 1176, Index Code 117606, Miscellaneous Services in the Department of Environmental Services. The

total of \$650,000 is for administration, marketing city neighborhoods and lot clean up services in relation to educating the public on litter.

Which was read.

Mr. Ferlo:

On approving Bill 1908 today, it is the allocation to the Pittsburgh Clean Cities Committee of over \$650,000, I think it's important to note that the Administration, as a result of a lot of the debate and discussion during the budget proceedings, has made a commitment to work with Council forming a task force with key people on it from Environmental Services, from Public Works, from the City Magistrate, Housing Court Magistrate, and others in City government, to deal with what I think all of us feel is not a good enough job in relation to the issue of cleanliness and litter and vacant lots needing to be cleaned here in the City of Pittsburgh.

So, I want to note that I hope that this task force meets shortly. I hope that Council will be able to contribute to it. There's a lot of areas that need to be looked at. We've talked about litter, we've talked about vacant lots, we've talked about community involvement to a greater extent, we've talked about the assessment of the street cleaning program which is uneven and many folks City-wide are unhappy with, the receptacle problem, litter at the MAC Machines. You name it.

I hope that all of those kinds of issues will be discussed and reanalyzed and reviewed by this task force. I hope that they come up with a report. Most of all, I hope that we have some action because we have a cleaner City than we did five years ago but it's nowhere as clean as it could be given the resources that we're putting into this effort.

So, I hope that task force gets together

and that Director Turner will treat this matter very seriously as I think he's committed to.

The Chair:

This item received considerable discussion at budget time and I really think it's an issue where Council by District can have considerable positive input into the resolution to the problem. And I'm hopeful that the Administration continues to communicate well with all of us.

Michelle Madoff:

Let's not forget enforcement.

The Chair:

With enforcement as part of that.

Mr. Ferlo:

Thank you.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1977

Report of the Committee on Planning, Housing and Development for January 16, 1991 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1909

An Ordinance entitled, "An Ordinance Amending and Supplementing Title 5 of the Pittsburgh Code Chapter 549, Residential Parking Permit Program to amend Section 549.12 Parking Permit Term and Renewal to allow for biannual programs; Section 549.13 Permit Fees and Exceptions to allow for biannual fees and free replacements when a window is replaced; Section 549.02 Definitions, to allow for permits to be issued for some vehicles between 6,000 and 10,000 pounds; Section 549.10 Display of Parking Permits, to amend the individual responsible for determining the method of display from the Superintendent of Police to the Director of Public Safety; and to add Section 549.17, Minor Expansions, to allow for minor expansions."

Which was read.

Also,

Bill No. 1910

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a grant agreement with South

Side Local Development Company for an amount not to exceed \$210,000 under the Neighborhood Housing Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 1978

Report of the Committee on General Services for January 16, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1905

A Resolution entitled, "Resolution providing for

a professional services agreement or agreements or for the use of existing agreements for the purchase of fuel for City owned vehicles, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1906

A Resolution entitled, "Resolution providing for an Agreement or Agreements and/or a Contract or Contracts, or for the use of existing Agreements or Contracts for the leasing of office space, and the necessary services and equipment required due to the relocation and housing of the various occupants of the Public Safety Building, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1907

A Resolution entitled, "Resolution providing for an agreement or agreements or for the use of existing agreements for an internship for graduate student(s) for a period of one year, from January 1, 1991, until December 31, 1991, to perform various energy related services for the Department of General Services and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1925

A Resolution entitled, "Resolution providing for a professional services agreement or agreements or for the use of existing agreements in

connection with the City's MBE/WBE Certification and Compliance Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 1979

Report of the Committee on Public Safety for January 16, 1991 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1850

An Ordinance entitled, "An Ordinance Amending and Supplementing the Pittsburgh

Code, Title Five, Traffic, Article I-Administration, Chapter 503 Enforcement, Section 503.12 Truck Routes, by adding the word 'registered' within the paragraph, and Section 503.20 (a) Penalty by changing the amount of penalty from \$15.00 to \$300.00."
---(SPONSORED BY MR. REGAN)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo:

Mr. Chairman, in accordance with Section 322 of the Home Rule Charter, regarding the publication of the effective date of the legislation, I'd like to move that Bill Nos. 1908 and 1913 shall be effective the date on which it is signed by the Mayor.

Mr. Milliones seconded the motion.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Regan:

I'd like to mention one thing. We have that public hearing on TCI on Thursday at 10:00. Councilman Cohen and myself are going to be chairing the meeting. I don't know whether I'll be at the Stadium Authority meeting, but I guarantee you I'll be at that one.

Michelle Madoff moved to approve the Minutes of Monday, January 14, 1991.

Mr. Milliones seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, January 29, 1991

No. 5

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, January 29, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair presents

No. 2033 WHEREAS, the Canevin Catholic High School Crusaders won the 1990 W.P.I.A.L. Class "AA" Championship and advanced to the P.I.A.A. State Championship Game; and

WHEREAS, the Crusaders defeated four previously undefeated teams in the playoffs while compiling a season record of 12 wins and 3 losses; and

WHEREAS, the Canevin Crusaders 1990 Championship Team is comprised of the following players: Eric Handlow, Joe Fodor, Dan Dohmlo, Scott Grady, Wayne Davin, Gary Watkins, Eric Kish, Scott Sakai, Paul Bell, Jake Nea, Chris Adinig, Captain Al Kaufman, Jason Pryor, Jamey Magilson, Mike Cottrill, Scott Hastings, Darren Schoppe, Jamar Spencer, Tim Snatchko, Rob Priddy, Kevin Livolsi, Captain Brian O'Malley, Kevin Joos, Marco Capristo, Tom Thamert, Ross DiPasquale, Randy DiPasquale, Mike O'Neil, Jeff Smith, Tom McKittrick, John Stokes, Brad Zebra, Cary Kane, Mark Nagy, Darren Mosco, Captain Matt Szczypinski, Larry Schacht, Cody Podrasky, Bill Manown, Mike Cicci, Len Gorney, Kurt Bassler, John Kreger, Neil Hall, Bart Kennane, Hayden Lutz, Steve Hilgert, Mike Porter, Frank Tirio, Ron Mariano, Shawn Muldowney, Ray Johnson, John Didion, George Brown, Frank Wudkwych, Todd Priddy, Bill Robertson, Seth

Tomei, Vince Szczepaniak, Damon Solomon, Chris Pinelli, Kyle Holiday and Brian Whorf; and

WHEREAS, other members contributing to the success of this championship season include Head Coach Bob Jacoby, Assistant Coaches Mike Lesifko, Joe Amorose, Greg Jancosko, Dom Parker, Bill Fontana, Bill Fowkes, Trainer Wim Rogers and Faculty Members John Maurer and Father Al Adams.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate the Canevin Catholic Crusaders High School Football Team on their 1990 Championship Season.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 2034 WHEREAS, The New Informer is a weekly newspaper published by the Homewood Brushton Revitalization and Development Corporation; and

WHEREAS, The New Informer was established in 1984 to provide positive information about the African American community with its motto being an "Informed Community is Key to Community Economic Development"; and

WHEREAS, The New Informer's readership has grown to over 60,000 people in the East End section of Pittsburgh alone with a separate version recently developed for the Hill District and Northside communities; and

WHEREAS, The New Informer is a balanced, professionally written newspaper that is managed by African Americans for the direct benefit of the people.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize The New Informer and the Homewood Brushton Revitalization and Development Corporation for its outstanding leadership and vision on behalf of the Pittsburgh African American community.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have today from The Informer Mr. Herman Mosley, and also from the Development Corporation, Mulugetta Birru, who will have some remarks at this time.

Mr. Mosley:

Thank you, Reverend Darkins. First of all, I think it's important to point out the fact that there are a lot of people that are responsible for this publication, too numerous to name, and they range anywhere from our Publisher, Mr. Birru, and our Editor, Randy Pitts, to our many, many writers who work on a freelance basis with this newspaper, as well as our Photography Department, our Computer Graphics Department. There are a number of people that come together to make this effort possible.

Let me say, first of all, that I really want to thank City Council for recognizing the achievements of The Informer. I want to also promise you that as we have moved into the Hill District with The Informer Newspaper, and the

North Side, and we've also put together a deal with the East Liberty Development Corporation to do an East Liberty supplement, we are moving. We do not plan to stop. We plan to become the most important publication in the City of Pittsburgh.

We're also moving into radio as far as the communications division of this company is concerned, and we plan to make it very, very possible for you to reach the African American community through our communications devices.

Thank you on behalf of The Informer Newspaper.

Mr. Birru:

Thank you, Councilman, and thank you, City Council, for recognizing our efforts in the Homewood Brushton community.

The Newspaper in the last seven years has really played a vital role in providing information, really information that doesn't exist in the media in general. It has been a very, very important part of our development efforts. I thank you once again.

The Chair:

Thank you very much.

Mr. Darkins:

I'd like very much for the Pittsburgh Executive Board of the African American History Committee to come forth.

Mr. Darkins presents

No. 2035 WHEREAS, The Pittsburgh Executive Board, African American History Committee, has been successful in highlighting

the accomplishments of the African American community in the City of Pittsburgh; and

WHEREAS, The PFEB African American History Month Committee is comprised of 32 members representing all levels of the federal government; and

WHEREAS, Roland L. Saunders has acted as the very capable Chairman and has led the committee on to innovative programming and community service; and

WHEREAS, The PFEB is instrumental in developing the Art/Essay Contest, the Outstanding Citizens Awards Dinner, the Art/Essay Awards Luncheon, the Personnel Workshop and the Minority Business Opportunity Workshop; and

WHEREAS, The PFEB African American History Month Committee is comprised of professionals from the Office of Surface Mining, Department of Energy, Defense Investigative Service, Internal Revenue Service, Office of Federal Contract Compliance, National Labor Relations Board, Veterans Administration, United States Congress, United States Senate, U.S. Bankruptcy Court, Department of Housing and Urban Development, Pennsylvania Air National Guard, U.S. Corps of Engineers, Social Security Administration and many more federal agencies.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize The Pittsburgh Federal Executive Board, African American History Month Committee, for its invaluable contribution to the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

I would like Mr. Roland Saunders who is the Chairman of this Committee to come forth and have something to say. Congratulations, Roland.

Mr. Saunders:

Thank you very much, Councilman Darkins, and to all of you for recognizing the work of this Committee and the federal community in general.

We started ten years ago as an ad hoc committee that was to self-destruct after one year's programming, and here we are ten years later. We have grown from 12 participating agencies to approximately 35. So, we're proud of that and we're proud of this port that the federal community and the agency heads and The Pittsburgh Federal Executive Board has given us, as well as the City of Pittsburgh.

It's good to us and makes us feel good to see that City Council is taking action not only to recognize our achievements but to publicly be involved in recognizing African American History Month. In these days of turmoil when we have many, many serious things on our mind, the country at war, we can ill afford to forget that there is a great deal of contributions and building of this nation that is directly attributable to the African American, none of whom came here seeking freedom, all of whom came here against their will.

We thank you for this resolution. We invite you all to attend some 20 some events that we have planned throughout the Pittsburgh area. We will kick off Friday with a kick-off program at the Veterans' Hospital in Oakland, at the Federal Building. Both of those are at noon. And we

have planned an evening of jazz at the Manchester Craftsman Guild and we think that's going to be a fantastic program. We will submit to the City a copy of our calendar of events and certainly would hope that you would attend some of them. Thank you so much.

Mr. Darkins presents

No. 2036 WHEREAS, Pentecostal Temple Church of God in Christ is honored to have its new church edifice dedicated by the esteemed Presiding Bishop Louis Henry Ford of the National Churches of God in Christ along with its Founder and Pastor, the Reverend Loran Mann; and

WHEREAS, Bishop Louis Henry Ford has spent more than fifty years in the ministry of the Gospel of Jesus Christ; and

WHEREAS, Bishop Louis Henry Ford is the esteemed founder of the St. Paul Church of God in Christ of Chicago, Illinois; and

WHEREAS, Bishop Louis Henry Ford is respected as one of the most influential religious leaders in America, having served as advisor to Mayors, Governors and Presidents; and

WHEREAS, Bishop Louis Henry Ford has demonstrated unprecedented leadership skills throughout his many years in the executive level of the Church of God in Christ, Incorporated; and

WHEREAS, despite the lofty office of Chief Apostle of the largest Pentecostal denomination in the world, Bishop Louis Henry Ford remains a man of the people and a man with a common touch.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims January 26, 1991 as

"Bishop Louis Henry Ford Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne presented

No. 1984 Resolution providing for the letting of a Contract or Contracts and/or an Agreement or Agreements or for the use of existing Contract(s) or Agreement(s) for the purchase of two-way portable radio accessories for the Public Safety Department, at a cost not to exceed \$23,100.00, chargeable to and payable from Code Account 1132-5, Radio Improvements, Department of General Services.

Which was read and referred to the Committee on General Services.

Mr. Ferlo presented

No. 1985 Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Stewart B. McKinney Homeless Assistance Act of 1987 - Emergency Shelter Grants Program; and providing for the execution of grant contracts and for the filing of other data; providing for required assurances; providing for execution of contract(s) with nonprofit organization(s); creating a special trust fund in connection with the project; providing for the deposit of the funds in the appropriate account. The City expects to receive approximately \$400,000 in 1991 Emergency Shelter Grant Program Funds.

Also,

No. 1986 Resolution providing for an Agreement or Agreements with Consultant or Consultants or Contract or Contracts, or use of existing Contracts for payment of services and expenditures for the implementation of the "Map Updating and Land Records Management Program" and obtaining data base design and programming and system management and training services and policy studies related thereto (including travel expenses for training provided to City personnel which cannot reasonably be offered in or near Pittsburgh) at a cost not to exceed \$150,000, chargeable to and payable from Code Account CP 91-214.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 1987 Resolution providing for a license to Equitable Gas Company for pipeline right-of-way easement on Railroad Street between 29th Street and Eazor Square adjacent to the City of Pittsburgh's Dept. of General Services Garage in the 6th Ward.

Also,

No. 1988 Resolution Repealing Res. No. 552, Item B, eff. July 10, 1989, which authorized the sale of property in the 4th Ward, being a vacant lot containing 20' x avg. 117', located at 2205 Forbes Avenue, designated as Block 11 L, Lot 162, to Allen R. Gochnour, for the sum of \$1,500.00. The reason for the above repealing resolution is that it was discovered through the title search that the City does not have marketable title to the property as originally submitted,

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 1989 Resolution transferring the aggregate amount of \$115,725.00 within various Department of Public Safety Code Accounts. This legislation is retroactive to December 6, 1990.

Which was read and referred to the Committee on Finance.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ricciardi presented

No. 1990 Resolution authorizing the issuance of a warrant in favor of Neighborfair Inc. in the amount of \$10,000.00 in payment for services furnished for the benefit of the City, chargeable to and payable from Code Account 1801, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 1991 Resolution transferring the amount of \$403,414.00 from Code Account 1843, (184309), Senior Citizens Program to Code Account Senior Citizens Trust Fund SCPTF, (254250), Dept. of Parks and Recreation. This transfer is necessary to pay salaries and leases in connection with the Senior Citizen's Program.

Which were read and referred to the Committee on Finance.

Also,

No. 1992 Resolution providing for an Agreement or Agreements with the Afro American Heritage Parade Association, Inc., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 1993 Resolution providing for an Agreement or Agreements with the Arsenal Board of Trade for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 1994 Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$11,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 1995 Resolution providing for an Agreement or Agreements with the Bloomfield Youth Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806) Misc.

Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 1996 Resolution providing for an Agreement or Agreements with the Brashear Association for the furnishing of professional services for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1838 (193806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 1997 Resolution providing for an Agreement or Agreements with the Champions Association Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 1998 Resolution providing for an Agreement or Agreements with the George "Dew" Brown Basketball League for the furnishing for the professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 1999 Resolution providing for an Agreement or Agreements with the Boys and Girls Club of Western Pa., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not

to exceed \$10,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2000 Resolution providing for an Agreement or Agreements with the City Theatre Inc., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$8,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2001 Resolution providing for an Agreement or Agreements with the Bidwell Education, Music and Recreation Center for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, in the Dept. of Parks and Recreation.

Also,

No. 2002 Resolution providing for an Agreement or Agreements with Robert Morris College for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2003 Resolution providing for an Agreement or Agreements with the Sharing and Caring for the furnishing of professional services for the benefit of the residents of the

City of Pittsburgh, at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2004 Resolution providing for an Agreement or Agreements with the Sheraden Youth Center Committee for the furnishing of professional services for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2005 Resolution providing for an Agreement or Agreements with the Spring View Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$4,266.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2006 Resolution providing for an Agreement or Agreements with the Washington Heights Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$7,500.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2007 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the furnishing of

professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$16,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2008 Resolution providing for an Agreement or Agreements with the Pittsburgh Center for the Arts for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2009 Resolution providing for an Agreement or Agreements with the Pittsburgh Wildcats for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2010 Resolution providing for an Agreement or Agreements with the Pittsburgh Summer Basketball League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2011 Resolution providing for an

Agreement or Agreements with the Pittsburgh Dance Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2012 Resolution providing for an Agreement or Agreements with the Pittsburgh Trust for Cultural Resources for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$7,500.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2013 Resolution providing for an Agreement or Agreements with the Highland Park Community Club for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2014 Resolution providing for an Agreement or Agreements with the New Group Theatre for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2015 Resolution providing for an Agreement or Agreements with the Homewood Brushton Baseball Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2016 Resolution providing for an Agreement or Agreements with the Homewood Art Museum for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1989, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks Recreation.

Also,

No. 2017 Resolution providing for an Agreement or Agreements with the Greater North Side Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2018 Resolution providing for an Agreement or Agreements with the Uptown Little League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2019 Resolution providing for an Agreement or Agreements with the Homewood Brushton Stingers Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account 1838 (183806) Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 2020 Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street, 20th Ward, at a yearly rental cost not to exceed \$9,000.00, chargeable to and payable from Code Account 1801, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 2021 Resolution providing for a Lease or Leases and/or License Agreement for the use of certain property for Senior Citizen Center Facilities in an amount not to exceed \$225,414.00, chargeable to and payable from Senior Citizen Program Trust Fund (SCPTF), (254250) Dept. of Parks and Recreation, effective January 1, 1991 pending Council approval of budget appropriations.

Which were severally read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 2022 Communication from George Whitmer, Executive Director of the Urban Redevelopment Authority, submitting the annual Position and Salary Report as of December 31, 1990.

Also,

No. 2023 Communication from Michael Perry, City Clerk, submitting the Fourth Quarter Travel Report for 1990, from various departments.

Also,

No. 2024 Communication from Charles T. Blocksidge, Ph.D, Director of Assessments, County of Allegheny, submitting the Certified total assessments of land and buildings for the City of Pittsburgh, applicable to the year 1991.

Also,

No. 2025 Communication from Mayor Sophie Masloff, submitting an updated Table of Organization which reflects the 1991 budget for filing in the Office of the City Clerk.

Which were severally read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2026

Report of the Committee on Finance for January 23, 1991 transmitting one ordinance and sundry resolutions to Court.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1911

A Resolution entitled, "Resolution providing for the acceptance by the City of Pittsburgh from the Western Pennsylvania Conservancy of certain property in the 19th, 20th and 24th Wards of

the City of Pittsburgh, for public greenway purposes at no cost to the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1937

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of One Thousand, Six Hundred and Fifty-Five (\$1,655.00) Dollars for payment, without previous authority of law, to Dubin & Company, Inc., Michael Kletter, President, for the emergency repair of an overhead rolling door at the clarifier in the Water Treatment Plant, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1938

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants totalling One Thousand, Eight Hundred and Eighty (\$1,880.00) Dollars for payment, without previous authority of law, to United Electric Motors Company, William Ferdy, President, for the emergency repair of a boiler feed pump, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1940

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, by changing the Rate of Interest on certain delin-

quent Earned Income and Home Rule Taxes."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1941

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Chujko Bros., Inc. in the amount of One Thousand Six Hundred Four Dollars and Fifty Cents (\$1,604.50) in payment for rental of equipment used in the Caliguiri Statue Dedication Ceremony for the Mayor's Office furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1942

A Resolution entitled, "Resolution providing for the acceptance by the City of Pittsburgh from Charles Bardin of certain property in the 3rd Ward of the City of Pittsburgh, for public purposes at no cost to the City of Pittsburgh."

Which was read.

Also,

Bill No. 1943

A Resolution entitled, "Resolution amending Resolution No. 1295, Item G, effective December 18, 1990, which authorized the sale of a 2 story, fra.-brk. house and a 1 story G.I. garage on a lot 20' x 138', 25th Ward, Block 22 H, Lot 188,

known as 1730 Brighton Place, to Lorenzo Woods for the sum of \$1,500.00."

Which was read.

Also,

Bill No. 1944

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1945

A Resolution entitled, "Resolution providing for

the issuance of a warrant in favor of Commonwealth of Pennsylvania-Pennsylvania State Police, Information Systems Division, 1800 Elmerton Avenue, Harrisburg, PA 17110, in the amount of \$3,737.40 in payment for the leasing of the terminal located at the Emergency Operations Center, Communications Section furnished for the benefit of the City, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2027

Report of the Committee on Public Works for January 23, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1957

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the design, lease purchase and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed five (5) years; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1958

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of a radio controlled calcium chloride dispensing system, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1959

A Resolution entitled, "Resolution amending Resolution No. 1031, effective October 12, 1990, entitled, 'Providing for an Agreement or Agreements with the Pittsburgh Public Parking Authority, for the renovation or repair of various parking lots throughout the City of Pittsburgh; and also to create a trust fund entitled 'Schenley Park Plaza Trust Fund,' by changing the title of the Code Account."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2028

Report of the Committee on Planning, Housing and Development for January 23, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1930

A Resolution entitled, "Resolution amending Resolution No. 903, effective August 30, 1990 entitled 'Resolution providing for an Agreement or Agreements with the following Community Based Organizations for community and economic development planning assistance; Lawrenceville Citizens Council, Inc.,

Lawrenceville Development Corporation, and the Pittsburgh Partnership for Neighborhood Development; at a cost not to exceed \$68,328.56', so as to increase the appropriation to \$71,893.05."

Which was read.

Also,

Bill No. 1931

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 167, effective March 7, 1983, as amended by Resolution Nos. 394 and 692 of 1983; and by Resolution No. 940 of 1984; and by Resolution No. 634 and 1985; and by resolutions Nos. 103, 177, 515 and 660 of 1986; and resolution Nos. 286, 443, 502 and 705 of 1987, Resolution No. 549 of 1989 and Resolution No. 137 of 1990, entitled 'Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1983 Community Development Block Grant Program,' so as to reduce the total grant allocation from \$27,539,000.00 to \$27,464,358.48."

Which was read.

Also,

Bill No. 1932

A Resolution entitled, "Resolution amending Resolution No. 743, effective 8/24/83 entitled 'Providing for an agreement or agreements with Urban Youth Action, Inc., to operate an educational work-experience program for Pittsburgh youth,' as to reduce the encumbered amount from \$50,000.00 to \$48,224.00."

Which was read.

Also,

Bill No. 1933

A Resolution entitled, "Resolution amending Resolution No. 742, effective 8/24/83 entitled 'Providing for an Agreement(s) with the Spring Garden Neighborhood Council to operate a Neighborhood Information and Improvement Program in the Spring Garden Neighborhood', as to reduce the encumbered amount from \$100,000.00 to \$99,936.66."

Which was read.

Also,

Bill No. 1934

A Resolution entitled, "Resolution amending Resolution No. 474 as approved June 6, 1983, entitled 'Providing for the implementation of a Residential Sticker Parking Program in the Oakland Community pursuant to Pittsburgh Code, Chapter 549' so as to have this street included in area B."

Which was read.

Also,

Bill No. 1935

A Resolution entitled, "Resolution amending Resolution No. 60, approved February 7, 1989 entitled 'Amending Resolution No. 637, approved July 27, 1989, entitled 'Providing for the implementation of a Residential Parking Permit Program in portions of the West Oakland community pursuant to Pittsburgh Code Chapter 549, so as to amending the streets included in Area 'C' so as to have this street included in Area 'C'."

Which was read.

Also,

Bill No. 1936

A Resolution entitled, "Resolution amending Resolution No. 850, approved October 19, 1987 entitled 'Amending Resolution No. 637, approved July 27, 1984, entitled 'Providing for the implementation of a Residential Sticker Parking Program in the Oakland Community pursuant to Pittsburgh Code, Chapter 549', so as to amend the streets in Area D so as to have this street included in area D."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 2029

Report of the Committee on General Services for January 23, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1926

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or the exercise against existing contracts, for various repairs and renovations to City facilities, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1927

A Resolution entitled, "Resolution providing for the letting of a contract or contracts and/or an agreement or agreements, or for the use of existing contract(s) or agreement(s) for the rehabilitation of the Fuel Island at the City Garage facility, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1928

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or to exercise against existing contracts, for various energy conservation projects for the Department of General Services, and providing for the payment of the cost thereof. Funds are available in Capital Account 3-30-01-0004-91 (1989 Project Fund), Index Code 831065, Energy Conservation Improvements for Public Buildings, Department of General Services."

Which was read.

Also,

Bill No. 1929

A Resolution entitled, "Resolution providing for a contract or contracts, or to exercise against existing contracts, for furnishing and/or installing power reducers at various City ballfields, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 2030

Report of the Committee on Water for January 23, 1991 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1590

An Ordinance entitled, "An Ordinance supplementing and amending the Pittsburgh Code, Title Three Water, Article I, Administration, Chapter 303, [Board of Water Assessors] changing title to read Water Accounts Receivable Advisory Committee and by changing 303.01 Composition and 303.02 Duties." (AS AMENDED IN COMMITTEE)
---(SPONSORED BY MR. RICCIARDI)

Which was read.

Mr. Ricciardi:

Mr. President, I'd like to make an amendment on the composition part of Bill No. 1590.

Because of an oversight on my part, I first had on there the Chairperson of the Pittsburgh Water and Sewer Authority will serve on the Board. The Chairperson of the Pittsburgh Water and Sewer Authority will vote on exonerations when they come to the Authority, so that person will get a double vote.

So, I'd like to change the Chairperson to Director of the Pittsburgh Water and Sewer Authority. That's in keeping with the intent of the bill, having the Director of the Water Department and the Director being in the City Solicitor of the Law Department serve on this Board.

The other amendment, "neither of which" should really read, "neither of whom".

So, again, this does not change the substance of the bill. I've had an opportunity to speak to many of you and also the Administra-

tion, and I hope you would support this bill also with the amendment.

If I may, too, Mr. President, I'd like the Record to reflect that this bill has been submitted and sponsored by Jim Ferlo and myself.

Mr. Ferlo seconded the motion.

Michelle Madoff:

I would like a specific clarification and the public would probably like to have that as well. How many voting people would there be and how many would be City employees or paid by the City or by the Water and Sewer Authority, and how many would be citizens in the private sector and what qualifications would they have?

Mr. Ricciardi:

I'd like to respond to that, Mr. President. I thought we had that discussion during our Committee Meeting last week, but I'll briefly respond to that.

According to the new composition, this will be a balance of technical expertise from three Administration officials, being the Director of the Water Department, the City Solicitor of our Law Department, and the Director of the Pittsburgh Water and Sewer Authority, or their designees. And there would also be two residents, non-City employees, which was an excellent point made by Councilman Coyne, serving on this. All five will have a vote.

And I would like to say from the Pittsburgh Water and Sewer Authority side, it's going to be sort of the Zoning Board of Adjustment way and I'm going to know how people voted. For example, when I'm serving on the Authority, if two residents vote opposing an exoneration, it's going to send a red flag out to me

and I'm going to be able to pinpoint just that particular exoneration.

Michelle, I'm not exactly sure what discussion you'll like. We've discussed this and--

Michelle Madoff:

You answered the question and I think you did it very well. And I think the direction that you're going into is very productive.

I would hope that the two citizen appointees by the Administration would be people at the Universities that have tenured with expertise in finance. We do not need technical expertise on how to run a Water Department. We need people who can look at accounting principles and PUC regulations and say, "This is fair and just and these people should not be penalized" and we should not run in to a situation where with a reporter present there's a tendency to say, "He's guilty" or "He's not guilty" because they really don't look at the issue in depth.

So, I would suggest strongly that this cannot be part of the legislation and a letter go to the Administration that they should be two tenured University people to add some balance from the citizen expertise. I think that's important because you need someone who understands the financial aspects of how this all came to be over a number of years, whatever the situation on the delinquent account may be.

Mr. Ricciardi:

Not on the amendment but only because Michelle Madoff raised it for the audience. It's important for the audience to realize that we confirm all appointments. So, we could have a lot to say.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Michelle Madoff:

I have an amendment. All Members of Council got a recommendation that we change the name of the Committee to reflect what it is. You wouldn't have a dentist called the neighborhood shoemaker and I think that calling it The Water Accounts Receivable Committee, they don't receive the money, it should be The Water Exoneration Hearing Board because that reflects just what it is. I make that as a motion and I hope someone would second it.

Mr. Darkins seconded the motion.

Mr. Ferlo:

I don't really care what we call this so I'm happy to support Michelle's amendment.

Michelle Madoff:

Since I've been head of the Water Committee for 13 years, believe me, it's important.

The reason it's important to have the name reflect what it is is that people come to all of us and say, "I've got a problem with my water bill." What are you going to do? Send them to Accounts Receivable? They'll say, "But I paid my bill." You send them to what it is, the Water Exoneration Hearing Board.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

Is there any discussion on the bill as amended?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 2031

Report of the Committee on Public Safety for January 23, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1946

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Department of Public Safety and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 2032

Report of the Committee on Engineering and Construction for January 23, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1922

A Resolution entitled, "Resolution further amending Resolution No. 442, effective June 4, 1987, as amended by Resolution No. 263, effective April 12, 1988, as amended by Resolution No. 39, effective February 15, 1990, entitled, 'Providing for a Contract or Contracts for the Rehabilitation of the Swinburne Street Bridge; providing for a reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the

payment of the cost thereof,' by increasing the total project allocation by \$16,000.00 from \$2,530,000.00 to \$2,546,000.00."

Which was read.

Also,

Bill No. 1923

A Resolution entitled, "Resolution further amending Resolution No. 1283, effective January 1, 1986, as amended, entitled 'Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program,' by increasing a line item (EC 86-15) by \$16,000.00."

Which was read.

Also,

Bill No. 1924

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Interior, National Parks Service for the Urban Parks & Recreation Recovery (SPARR) grant in connection with the Baxter Playground Rehabilitation Project; providing for the execution of a grant contract and for the filing of requisitions and other data; approving the Renovation; providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 2037 Resolution reappointing Thomas M. Schmidt, 1060 Highmont Road, Pittsburgh, PA 15232, to the Historic Review Commission of the City of Pittsburgh for a term to expire December of 1993.

Which was read.

Also,

No. 2038 Resolution reappointing Lela Burgwin, 5700 Fair Oaks Street, Pittsburgh, PA 15217, to the Historic Review Commission of the City of Pittsburgh for a term to expire December of 1993.

Which was read.

Also,

No. 2039 Resolution reappointing Jack E. Wagner, 2112 Los Angeles Avenue, Pittsburgh, PA 15216, to the Allegheny County Sanitary Authority Board of the City of Pittsburgh for a term to expire January of 1995.

Which was read.

Also,

No. 2040 Resolution appointing Stephen M. Shortley, 3709 Atkins Street, Pittsburgh, PA 15212, to the Allegheny County Sanitary Authority Board of the City of Pittsburgh for a term to expire January of 1996.

Which was read.

Also,

No. 2041 Resolution reappointing Gerald W. Fox, 7124 Apple Avenue, Pittsburgh, PA 15206, to the Board of Adjustment of the City of Pittsburgh for a term to expire January of 1992.

Which was read.

Also,

No. 2042 Resolution reappointing John Noonan, 815 Woodbourne Avenue, Pittsburgh, PA 15226, to the Board of Adjustment of the City of Pittsburgh for a term to expire January of 1993.

Which was read.

Also,

No. 2043 Resolution reappointing John A. Zonola, 6129 Jackson Street, Pittsburgh, PA 15206, to the Board of Adjustment of the City of

Pittsburgh for a term to expire January of 1994.

Which was read.

Also,

No. 2044 Resolution appointing Dominic Frasca, 1126 North Highland Avenue, Pittsburgh, PA 15206, as a City Magistrate for a term effective upon the filing with the Clerk of the Court of Common Pleas of Allegheny County of the certificate required by Pennsylvania law (42 PS. 3115 - Certification of Successful Completion of Course), and to expire January of 1992.

Which was read.

Also,

No. 2045 Resolution appointing Reverend Jason A. Barr, 22225 Bedford Avenue, Pittsburgh, PA 15219, to the Planning Commission of the City of Pittsburgh for a term to expire January of 1996. Reverend Barr will replace Regis Bobonis.

Which was read.

Also,

No. 2046 Resolution appointing Kathy Irvis, 205 Tennyson Avenue, Pittsburgh, PA 15213, to the Planning Commission of the City of Pittsburgh for a term to expire January of 1992. Ms. Irvis will replace Willie McClung.

Which was read.

Also,

No. 2047 Resolution reappointing Frank O'Brien, 179 Marsden Street, Pittsburgh, PA 15207, to the Steel Valley Authority Board of the City of Pittsburgh for a term to expire Jan-

uary of 1996.

Which was read.

Also,

No. 2048 Resolution appointing Nello Giorgetti, 707 Forward Avenue, Pittsburgh, PA 15217, to the Steel Valley Authority Board of the City of Pittsburgh for a term to expire January of 1996. Mr. Giorgetti will replace Charles McColester.

Which was read.

Also,

No. 2049 Resolution reappointing Lewis Borman, 6017 Grafton Street, Pittsburgh, PA 15206, to the Pittsburgh Water and Sewer Authority Board of the City of Pittsburgh for a term to expire January of 1996.

Which was read.

Also,

No. 2050 Resolution reappointing Joseph Preston, Jr., 501 Larimer Avenue, Pittsburgh, PA 15206, to the Pittsburgh Water and Sewer Authority Board of the City of Pittsburgh for a term to expire January of 1996.

Which was read.

Also,

No. 2051 Resolution appointing Gene Baynes, 65 Riverview Avenue, Pittsburgh, PA 15214, to the Human Relations Commission of the City of Pittsburgh for a term to expire August of 1993. Mr. Baynes will replace Edward H. Wilson.

Which was read.

Also,

No. 2052 Resolution appointing Michelle Jones, 1329 Page Street, Pittsburgh, PA 15233, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Ms. Jones will replace John Wilds.

Which was read.

Also,

No. 2053 Resolution appointing Barbara S. Burstin, 1435 Bennington Avenue, Pittsburgh, PA 15217, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Ms. Burstin will replace Dorothy Binstock.

Which was read.

Also,

No. 2054 Resolution appointing Peter Georgiades, 54 South Twenty-Second Street, Pittsburgh, PA 15233, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Ms. Georgiades will replace James Vallas.

Which was read.

Also,

No. 2055 Resolution appointing C. Lu Conser, 834 Beech Avenue, Pittsburgh, PA 15233, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. C. Lu Conser will replace Marsha Bingle.

Which was read.

Also,

No. 2056 Resolution appointing Brenda F. Berrian, Department of Black Studies, University of Pittsburgh, 3T01 Quadrangle, Pittsburgh, PA 15260, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Brenda F. Berrian will replace Dorthea Mason.

Which was read.

Also,

No. 2057 Resolution appointing James R. Overton, 2439 West McIntyre Place, Pittsburgh, PA 15214, to the Minority and Women Business Enterprise Review Committee of the City of Pittsburgh for a term to expire April of 1992. Mr. Overton will replace Regis Darrow Bobonis.

Which was read.

The Chair:

I would like to entertain a motion on the nine reappointments, unless any Councilmember objects and they want some of those reappointments to come forward.

Mr. Ferlo:

I object.

Michelle Madoff:

I object strenuously.

The Chair:

Which reappointments would you like to come in front of Council?

Michelle Madoff:

First of all, I think it's important that we have the Human Relations people come before us because there's some questions I'd like to ask them.

The Chair:

They are all new appointments. They will all be in front of Council.

Michelle Madoff:

Oh, you're talking about the reappointments. I'm terribly sorry, Mr. President.

On the reappointments, I have no problem. We're talking about Alcosan -- What are the other reappointments? You read them so quickly, we didn't take them all separately.

The Chair:

Let me propose an agenda here, which I have discussed with Councilman Milliones, that tomorrow we have all Human Relations Commission new appointees come in front of Council, the one new appointee to the Steel Valley Authority, and the one appointee to the Minority and Women Business Enterprise. That's a total of seven people tomorrow. Then next Wednesday, we would have Steve Shortley from Alcosan, Dominic Frasca, the Magistrate, and Reverend Joseph Barr and Kathy Irvis for the Planning Commission.

Michelle Madoff:

May I continue? We were in dialogue; may I continue?

I would respectfully ask that a letter go to the Administration asking that Mr. Frasca's name be withdrawn. I think it would be an em-

barrassment to him. I think it's unfair to him and certainly unfair to this Council.

Mr. Cohen:

Mr. President, we're talking about the reappointments.

The Chair:

That's right. We're talking about reappointments now. And that is not a procedure of which is in front of Council at the present time. We're talking about --

Michelle Madoff:

You're talking about inviting him here and I'm saying that it would be a terribly cruel thing to do to all of us.

The Chair:

What we're going to do is deal with the reappointments right now, and then if you want to comment on those, that's fine.

Mr. Ferlo:

Mr. President, I voted in opposition, I think it was a year and a half ago, to placing Mr. Borman on the Board of Water and Sewer Authority. It has nothing to do with Mr. Borman; he's a wonderful gentleman. He lives in Highland Park along with me and I've been friends with him for 15 years.

My concern is that we have too many Administration staff people on key authority boards. This appointment is very important and I think it's time that we break up that monopoly of Administration staff people on key authorities. I think there are significant problems in the Water and Sewer Authority regarding lucrative arrangements with consultants, regarding cost

overruns.

I just don't think there's checks and balances on that authority and I think we should use our appointment powers to put some people on the authority who have some expertise in the community regarding important issues that the authority faces.

You know, we've seen water bills rise significantly since the creation of the Water and Sewer Authority. I think there are a lot of questions, at least in my own experience, having intervened in some of the construction related activities of the authority, you know, I question the wisdom of some of the actions of the authority and some of the actions that the authority has been asked to intervene on regarding consultant reports. And one thing or another, I think all of us have concerns regarding the Water and Sewer Authority.

Again, I think we need some new people, independent people who have some expertise on that authority. And it's no disrespect to Mr. Borman but I think we should deny his appointment and ask the Administration to come up with somebody from the community that has a level of expertise that can make a contribution.

The Chair:

I just want everyone to know, it's my intent, unless the majority of you think otherwise, to vote on the reappointments today, the nine people of which there are three to the Zoning Board of Adjustments, Mr. Fox, Mr. Zottola, Mr. Noonan; the Historic Review Commission, Mr. Schmidt and Ms. Burgwin; Steel Valley Authority, Mr. O'Brien; Water and Sewer Authority, Mr. Borman and Mr. Preston; and myself on Alcosan.

Mr. Ricciardi:

Point of Clarification. I thought the question was on reappointments if you like us to suggest if anyone should come before us. So, if we make that suggestion, I would opt that we not vote for that particular person.

The Chair:

That's fine.

Mr. Ricciardi:

Okay, on reappointments, I would like to respectfully ask that the Chairperson, John Z. Zola, of the Zoning Board of Adjustment appear before Council. Thank you.

The Chair:

Okay. We would request that he be here tomorrow, if possible.

Any other requests out of those nine?

Michelle Madoff:

Comment on those appointments. The name of Mr. Lou Borman was raised and I think that there is some validity to what my colleague has said, but I have been closely monitoring that Water Department for almost 13 years and I find that there is really, if there is one area where the use of consultants has not been abused or contracts have not been abused and where a department is run in issuing contracts and repairs and maintenance of the safety of the water, it has not been in the Water Department.

The problem in the Water Department that I have been --

The Chair:

Councilwoman Madoff, we're not talking about the Water Department.

Michelle Madoff:

But it was raised here and I think it needs to be answered. I'm talking about Lou Borman. I'm addressing Lou Borman.

The problem has been that we have an outstanding, unpaid collections --

Mr. Ricciardi:

Point of Order.

Michelle Madoff:

I'm addressing Mr. Lou Borman and I think I have the right to respond to what Mr. Ferlo said.

Mr. Ricciardi:

Point of Order. If I'm not mistaken, Mr. President, you've asked us if there's anyone who we would like to appear before us today. Mr. Ferlo made a recommendation that he would like Lou Borman before us and he gave his reasoning for it. We should not now debate that reasoning. If you would rule on that, please.

The Chair:

Mr. Ferlo did not specifically ask that Mr. Borman be here. He indicated that he would vote to object to the appointment of Mr. Borman. Mr. Ferlo, would you like him in front of us tomorrow?

Mr. Ferlo:

Yes.

The Chair:

Okay. End of discussion on Mr. Borman.

Michelle Madoff:

I'm not debating it. I'm merely correcting for public information what was stated here.

The problem has been that we haven't collected our money. There's an outstanding balance of \$6 million.

The Chair:

Councilwoman Madoff, that is not the issue. Therefore, we are not going to debate that.

We have nine reappointments, of which two have been requested to come in front of Council. Is there any other request of the other seven or discussion on those seven, of which we are about to vote on?

We would ask that Mr. Zottola and Mr. Borman also be here tomorrow to be interviewed by Council.

Okay, roll call vote on all seven reappointments of which I believe all Councilmembers are aware of those seven.

Is there any further discussion on the reappointments?

And on the question, "Shall the reappointments pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the following reappointments were approved:

Thomas M. Schmidt
Historic Review Commission

Lela Burgwin
Historic Review Commission

Jack E. Wagner
Allegheny County Sanitary Authority Board

Gerald W. Fox
Board of Adjustment

John Noonan
Board of Adjustment

Frank O'Brien
Steel Valley Authority

Joseph Preston, Jr.
Pittsburgh Water and Sewer Authority Board

The Chair:

Okay, those seven individuals are approved. The others will be here tomorrow to be interviewed. They will be voted on next Tuesday. Those to be here next week to be interviewed will be voted on in two weeks.

Michelle Madoff:

Is it appropriate for me to make my motion now on Mr. Frasca, that he not be invited, that we write a letter to the Administration asking that his name be withdrawn.

I went to see the Administration at the end of last week and said there is no way that I personally could vote for this gentleman. That was long before the articles started appearing in the newspapers.

I think it's inappropriate. He is not an attorney. We do not need to set precedent with somebody who will be retiring in one year. Again, it is putting this Council in a very -- We're scapegoating again. There's no reason we should be the scapegoats for this and I think the name should be withdrawn and I respectfully request that it be withdrawn.

The Chair:

A letter from Council we can vote on as a request, but it is not a mandate.

Michelle Madoff:

I understand that. I would like to make a motion that we write a letter asking the Administration to withdraw the name for the purpose of not embarrassing Mr. Frasca or embarrassing this Council. Do I have a second to that?

Mr. Regan seconded the motion.

Mr. Ricciardi:

Discussion. The confusion that I have on that motion, and this is neither in support or opposition of Mr. Frasca, if I'm not mistaken, colleagues, if we vote on this now for Michelle Madoff's motion, we're really voting against the nomination and that means we're voting against

the nomination without having any interaction with the nominee. I have yet to receive any correspondence or met with the person. I just think a vote now would be a vote against the nominee and how can we vote against the nominee without meeting that person?

The Chair:

I agree, Mr. Ricciardi.

Mr. Coyne:

Mr. Chairman, I think it would be ill-advised for Council to send a letter at this point. I think that it's the Administration's role to suggest who the candidates will be and Council's role is to examine them when they come to the table and then to make our vote based upon that examination. I don't think Council should send the letter right now.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff

Mr. Regan

AYES 2

NOES 7

VOTING NO:

Mr. Cohen

Mr. Milliones

Mr. Coyne

Mr. Ricciardi

Mr. Darkins

Mr. Wagner

Mr. Ferlo

(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Regan:

Mr. President, I would like to bring up my removal from the Stadium Authority.

Section 221 of the Home Rule Charter states that "The Mayor may remove any member of the Authority at any time but that the rule is not effective until the Mayor transmits reason to the Council in writing." I think that the people of the North Side and myself deserve that kind of treatment.

My appointment, and you can verify this as the President of Council, my appointment was termed to 1994. That was a commitment to you and a commitment to me and I would like the Mayor to live up to that commitment. The Mayor is a fine lady, it's nothing personal, but I think that I should have an answer to this.

I also would state this, that any of my colleagues that would accept that position under these kinds of terms, is not a good colleague.

The Chair:

Because this is an appointment by the Mayor, and the Mayor only, the only outstanding issues, legally, as far as this Council, I believe, is the reason for removal and whether or not Council needs to be informed in writing for those reasons, as Mr. Regan has stated.

And based on that, this past Friday I want all Members of Council to know that Mr. Perry, under my direction, has sent a letter to the Solicitor asking for a legal opinion based on Sections 220 and 221 of the Charter and whether or not a formal written notice stating the reasons for removal must be initiated to this Council.

So, we are waiting for an answer to that letter.

Mr. Regan:

Mr. President, can I ask you in an open forum here, was that not the commitment, until 1994?

The Chair:

Yes. It was in writing.

Mr. Regan:

Okay. And now, could that happen to any other one of our colleagues here?

Michelle Madoff:

Not to me. I've never been appointed to anything.

Mr. Ferlo:

Obviously I'm being very supportive of my colleague, Mr. Regan. I was a little bit upset when I read about the situation in the newspaper.

I do think, however, as you indicated earlier, that we need an opinion from the Solicitor. We can deal with this politically and each one of us would have a comment to make.

On the legal issue, though, I would like an understanding as to the distinction between the authority board in terms of the Authority's Act created at the State level, versus some of the other authorities. I think we need a legal interpretation not only of the provisions of the Home Rule Charter, but the provisions of the Authority's Act, this Authority Act creating the Stadium Authority Board, and explicitly outlining what the Mayor's powers are regarding this issue.

The Chair:

So, you're asking me as Council President, through Mr. Perry, to determine the appointment procedure and removal for the Stadium Authority specifically.

Mr. Ferlo:

The Stadium Authority has a separate State Act, different from the Housing Authority in my situation and some of the other authorities. I think we need a review of that also.

Mr. Regan:

I would like to say that there's something here a little bit over and above a legal commitment. This is a moral commitment. You make a commitment to somebody and I think you have to keep it, especially when a commitment was made until 1994.

Mr. Ferlo:

Unrelated to this issue, I have just a couple brief things. The organizations to this date still have not received their check for the emergency food monies, the \$20,000 and we're approaching the month of February.

I'd like a report from the Administration as to what the snag is, what's the problem with issuing these checks.

Secondly, back on the appointments. I think there are a number of concerns that some Councilmembers have, certainly myself, regarding the appointments on the Human Relations Commission prior to the individuals coming to the table, recognizing that the individuals come to the table and not a spokesperson from the Administration.

I have no problem with any of the indi-

viduals being appointed; they're all excellent appointees. What I do have a problem with, and what I would like a legal explanation from the Solicitor, deals with the terms of office for the individuals that are being replaced. Are we placing individuals who serve a legal term? Were there vacancies? If there were vacancies, which vacancies existed?

It seems as though some people are just being removed without reviewing the issue of the vacancy and the term of office for the individual. So, if we could have that information at the table prior to our interview, I'd appreciate it.

Thirdly, on the Indirect Cost Recovery Program. Mr. President, as you know, we've had a lot of debate over the years on the problems arising from the Three Rivers Arts Festival, the Vintage Grand Prix, the Marathon, all the mega living room events that we host.

We need a report from the Administration early this year on what is their policy regarding the indirect costs associated with the Grand Prix, the Marathon, the Arts Festival, the Children's Festival, as well as this bicycle event that they are proposing to hold. Rather than wait until the event starts and then we have a big fight again. That doesn't make any sense to me.

So, if could we respectfully request that information from the Administration, I'd appreciate it.

Mr. Milliones moved to approve the Minutes of Tuesday, January 22, 1991.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, February 5, 1991

No. 6

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, February 5, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Would Dr. Wilds and Marsha Bingler come up, please? I'm happy to read the following resolution.

Mr. Cohen presents

No. 2122 WHEREAS, Mayor David L. Lawrence founded the Pittsburgh Commission on Human Relations in 1955 as one of the first municipal agencies in the United States whose specific purpose was to ensure equal rights for all citizens; and

WHEREAS, the Human Relations Commission is the only City board or commission created by the Pittsburgh Home Rule Charter and its Commissioners spend many hours resolving very difficult cases on a volunteer basis; and

WHEREAS, John M. Wilds, Ph.D. has served on the Commission since 1987, most recently as Chair, and is the Director of Human Resources at the University of Pittsburgh; and

WHEREAS, Marsha R. Bingler has served on the Commission since 1974, including 3 years as Chair, and has also served as President of the League of Women Voters and was also the Alumnae Representative to the Chatham College Board of Trustees; and

WHEREAS, Dorothy Binstock has served on the Commission since 1984, and has also volunteered hundreds of hours strengthening Black/Christian/Jewish relations as a member of the Anti-Defamation League of B'nai Brith; and

WHEREAS, Dorothea H. Mason has served on the Commission since 1983, and has also volunteered for many groups such as Project 90, the Lucy Stone Civic League, NAACP, and her husband Lou Mason was President of City Council from 1970-1977; and

WHEREAS, James Vallas has served on the Commission since 1980, and is also Vice President of the Pennsylvania AFL-CIO and Vice President of the Service Employees International Union.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends John M. Wilds, Marsha R. Bingler, Dorothy Binstock, Dorothea H. Mason and James Vallas for their years of dedicated service to the City of Pittsburgh and hopes that they maintain their spirit of volunteerism in years to come.

Mr. Cohen moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council, and thank you who have come down here today.

Together these five people have served for more than 40 years on the Human Relations Commission and I want to thank Council for recognizing their contributions.

I want to personally thank them also for their devotion to civil rights and their commitment to end discrimination of all forms in the City of Pittsburgh.

I'm very pleased that we have with us here today Marsha Bingler who served as Chair of the Commission and also is former President of the League of Women Voters, and also Dr. John Wilds who is the current Chair of the Human Relations Commission and is also Director of Human Resources at the University of Pittsburgh. I think each of them has a few comments.

Ms. Bingler:

I'd like to personally thank Dan for initiating this and Members of Council for approving the resolution.

I have been on the Commission for almost 17 years. That's a lot of time and I have enjoyed it. It has been my pleasure and honor to serve on that Commission part of the time with Reverend Darkins.

I wish my colleagues well. It is particularly in this day of increased incidences of racism and hatred and bigotry that the work of the Commission continue as diligently as possible.

Again, I thank you for this resolution and I will continue my public service in other ways. Thank you.

Dr. Wilds:

I, too, would like to thank City Council for the recognition that has been bestowed on Marsha and myself and the rest of the members of the Commission who are rotating off of the Board.

I would like to say that it has been a privilege and pleasure to serve as a Commissioner on the Commission of Human Relations for the last four years. It certainly has been a rewarding experience for me and I hope that in some way that I have made a contribution to the City of Pittsburgh and the citizens in which they are obligated to serve.

I would just like to say to those of my fellow Commissioners who will remain and who will carry the mantle of human rights and human relations in this City, I just want to wish them well as they embark on an even more difficult job in the years to come. Thank you very much.

Mr. Coyne presents

No. 2123 WHEREAS, on Monday, February 4, 1991 the Tri-State Conference on Steel will celebrate its Inaugural Awards Dinner in the Duquesne University Ballroom; and

WHEREAS, Dr. Richard A. Uher, Director of the Mellon Institute's High Speed Ground Transportation Center, will receive a lifetime achievement award for his work in promoting Pittsburgh as a center for the development and manufacture of magnetic levitation systems which will create thousands of jobs in high technology, skilled manufacturing, construction and service industries for the Pittsburgh region; and

WHEREAS, Dr. Charles Martoni, Dean of Students at the Boyce Campus of Community College of Allegheny County, will receive the Tri-State's Annual Joe Magarac Award given in recognition of Dr. Martoni's role in helping to establish the Steel Valley Authority and various other economic development groups; and

WHEREAS, the Steel Valley Authority, working in conjunction with the Tri-State Conference on Steel, has been instrumental in

seeking support to reopen the South Side Electric Furnaces, in re-opening the City Pride Bakery, and establishing the Mon Valley Early Warning Network; and

WHEREAS, Mr. Robert Kuttner, respected columnist for the Harvard Business Review and Business Week Magazine, will be the keynote speaker.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Dr. Richard A. Uher and Dr. Charles Martoni, Award Recipients of the 1991 Inaugural Awards Dinner; and

BE IT FURTHER RESOLVED, that the Council acknowledges the Tri-State Conference on Steel for their leadership in securing continued growth of industry and manufacturing in the Pittsburgh region.

Mr. Coyne moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mr. President, I'd like to ask for Mr. Walter Worthington to come forward. Last week, I believe it was, in our session was the beginning, and throughout the entire month of February, of Black History Month. I felt it necessary, because of this man's contributions that he has made to the City of Pittsburgh, that this resolution should be read and adopted.

Mr. Darkins presents

No. 2124 WHEREAS, Walter C. Worthington has made invaluable contributions to the City of Pittsburgh's African American Community; and

WHEREAS, Walter C. Worthington has been instrumental in providing leadership and guidance in the area of community service and cultural enrichment; and

WHEREAS, Walter C. Worthington has been recognized by many for his unselfish deeds; and

WHEREAS, in 1990 Mr. Worthington received the Parents & Child Guidance Center's Meritorious Award for Education and Health; in 1987 he was recognized by the National Association of Negro Business and Professional Women's Clubs, Pittsburgh Chapter, for his contributions to the creation of the African Heritage Classrooms at the University of Pittsburgh; in 1977 the same organization honored him as a Black Historian; The Trailblazers Award was presented to him in 1987 for his works in the theatre; and in 1979 Mr. Worthington received the Jefferson Award for public service, along with the Greater Pittsburgh Conference of Minority Administrators.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Walter C. Worthington for his many hours of untiring service to the African American Community and wishes him continued success in his contributions to the African American Community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Worthington:

Thank you very much, Councilman Darkins. To him who has given us this day,

thanks also. And to all of those with whom I've been associated over the years in attempting to improve service, to improve the quality of life, to bring a new kind of hope to citizenship, thank them also. They're the ones to whom this award should go, not to me. I'm only here because one day the Lord said, "Who shall I send?" and I said, "Send me." And he responded.

And, Reverend Darkins, in your role as his servant, I want to thank you and City Council again for this recognition. Thank you very much.

Mr. Darkins:

I'm going to ask Lillie M. Lesesne to come forward and her ladies from the various sororities that have come to help her to receive this honor today. Another great lady in our City that has made such a tremendous contribution and one that I am proud of, today we want to recognize her.

Some of these ladies, colleagues on Council, I have known them all my life.

Mr. Darkins presents

No. 2125 WHEREAS, Lillie M. Lesesne challenged deficiencies that existed in the health delivery field and earned the reputation for "getting things done"; and

WHEREAS, in 1984 Lillie M. Lesesne was listed among contemporary nurses in Who's Who; and

WHEREAS, from 1967-1969 Ms. Lesesne organized and administered the Community Action Pittsburgh Head Start Program that provided medical and dental care for pre-school aged children, and Ms. Lesesne was praised for accomplishing an enrollment of over 75% in the dental program; and

WHEREAS, in 1961 Lillie M. Lesesne organized a polio immunization program that resulted in over 16,000 Hill District children being protected against the disease; and

WHEREAS, Lillie M. Lesesne is Public Relations Coordinator and Past President of Chi-Eta Phi Sorority, an organization of Black nurses in the City of Pittsburgh, and was honored for service to the sorority; is a charter member of Kappa Chapter Chi Eta Sorority; is Public Relations Coordinator for the Continental Societies, an organization dedicated to work with youth in need; has served on the Medical Committee for Civil Rights; and is a contributing and supporting member of the African American Heritage Classrooms at the University of Pittsburgh; and

WHEREAS, Lillie M. Lesesne earned a Bachelors and Masters Degree in Nursing Education from the University of Pittsburgh, is a life long member of Grace Memorial Presbyterian Church where she serves on the Deaconess Board and Mission Design Committee, and is a lifetime member of the NAACP.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and offers congratulations to Ms. Lillie M. Lesesne for her time and commitment to the African American Community and extends to her much success in all future endeavors.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

Also today, because you're just like these

flowers are, I present them also to you.

Ms. Lesesne:

Thank you so much, Councilman Darkins. Thank you, Members of Pittsburgh City Council. I appreciate this recognition very much.

It is good that a plain citizen like myself is recognized for some of the things which I have accomplished, despite racial and personal discrimination, for it gives others the knowledge that they, too, can accomplish worthwhile things.

The things mentioned were not accomplished alone, for I had support from many sources, from friends, acquaintances, people I served in the community, and my patients, from family, extended members, my primary family unit, especially my mother, from teachers and church personnel.

As you heard, I have been a long-time member in the Grace Memorial Presbyterian Church.

Early in my pre-school years, I learned that I was created in the image of God and that God is love. This made me a lovable being with love to give and share with others. Love your neighbor like yourself, I also learned in my pre-school years.

Sometimes this knowledge got buried so deep in my subconscious mind until I almost forgot it. But when the way became too dark and murky I remembered and the road brightened and love shined through.

Thank you again for your recognition. Thank you friends and family and sororities. Thank you again, Councilman Darkins. Thank all of you.

Mr. Regan:

Walter Worthington asked God who to send and he sent him. I asked Bishop Darkins to send somebody to honor Father Franco from the North Side, and he sent me.

So, Father Franco and your family and the people from your parish, I'd like you to come forward. Chief Dickinson and head of the Firefighters' Union, Joe King. All of you please come up.

It's a great honor to honor a man of the cloth here today and swear him in as a Fire Chief of the great City of Pittsburgh.

Mr. Ferlo:

Chaplain.

Mr. Regan:

The Chaplain. I'm sorry. Chief, that was nothing personal. Don't hold your hand on your heart; you're still there.

That could only happen in America, Father.

Mr. Regan presents

No. 2126 WHEREAS, the Reverend Robert M. Franco, son of Mr. and Mrs. Michael Franco, was ordained a Priest for the Diocese of Pittsburgh on Saturday, May 5, 1973 by then Bishop Vincent M. Leonard; and

WHEREAS, Father Franco served the Diocese as Parochial Vicar of St. Mary's Parish, Beaver Falls, PA for four and one half years; and

WHEREAS, Father Franco, on special assignment from the Bishop's staff, was sent to St. Joseph's in Coraopolis for two years; and

WHEREAS, Father Franco was assigned to the Catholic University of America where he obtained a Master's Degree in Canon Law; and

WHEREAS, Father Franco was assigned to the Diocese of Pittsburgh as a Diocesan Tribunal and in 1981 became Secretary (Executive Officer) of the Tribunal; and

WHEREAS, in 1988 Father Franco was appointed Pastor of St. Cyril's of Alexandria Church located on Pittsburgh's North Side; and

WHEREAS, Father Franco was Master of Ceremonies for Bishop Anthony Bosco for nine years while he was Auxiliary Bishop of Pittsburgh; and

WHEREAS, during his tenure, Father Franco has served as Chaplain for the Knights of Columbus on the local and state level, has served as Chaplain for Special Services for Allegheny County, and most recently has been appointed to serve as Chaplain for the City of Pittsburgh's Firefighters Local #1.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Father Franco for his dedication and leadership and extends congratulations on his appointment to serve as Chaplain of the Pittsburgh Firefighters Local #1. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

Even Council voted for you, Father.

I'd like to have a few words from you now, Father. You know, it's quite an honor for a poor kid from the North Side to have one of our good Fathers over there so honored in City Council. You know, the Firefighters are really tough and this is the first time I know this year that the Firefighters' Union and the head of the Firefighters has gotten along. This is the only thing they've voted on unanimously.

Father Franco:

I would like to extend my thanks to City Council and Councilman Regan for this opportunity today, and most of all to Chief Dickinson and President King for accepting my willingness to serve as the Chaplain to the Firefighters.

For many years I used to sit on the Boulevard of the Allies in my office and I would hear Engine #1 go up and down and up and down. And I always had a feeling that some day I would serve those gentlemen. And I feel very honored now with this Chaplaincy to both serve the men and women of the Firefighters' Union and the City of Pittsburgh as their Chaplain, and I am here whenever they need me.

Thank you all once again and God bless you.

Mr. Regan:

I know his father, Michael, and his mother, Lena, are excited here today and it's really an honor for them to be down in City Council. You're the only one that's stronger with us than your son.

Chief, would you like to come up here and swear these people in? We also have the Choir Director, John Adams, if any of you people would like to go out in the hall and learn a little bit about singing. Ethel Marchese and Joy Zubin,

two of the secretaries; we're honored to have you here. And the head of the Firefighters' Union, Joe King.

AT THIS POINT, REVEREND ROBERT M. FRANCO WAS SWORN IN AS CHAPLAIN OF PITTSBURGH FIREFIGHTERS LOCAL #1 BY CHIEF CHARLES DICKINSON.

Mr. Regan:

I'd like to have a word from the Fire Chief now.

Chief Dickinson:

As they take their seats again, I wanted to let Council know that I think this is a history making event. To my knowledge, City Council has never recognized a formal Chaplain for the Fire Bureau.

As a comment, this may seem strange, I don't look forward to doing business with Father Franco because when we do, the business will be very serious.

Lawrenceville, this weekend, a two-alarm fire that displaced a family of six. As the incidents get more serious, Father Franco will have more work to do. What he brings to us, though, will be some type of, not healing because fires do not do that, they destroy, but a hand that reaches out to all denominations that will provide some solace not only to Firefighters but to the public that we serve along with him, and we look forward to that relationship. Thank you, Father.

Mr. Regan:

Chief Dickinson, thank you very much.

Now, I have a legend in his own time, a little bit of folklore from the North Side. Porky the Duck Man. Do you want to come up, Porky?

Here's a guy that feeds more ducks than the Salvation Army fed people, which is tough. How are you feeling, Porky?

I'd like to say this. If you would like to check today or any other day from behind the prison on the North Side, he's not a member there but he has a little establishment right outside, from there to the Pittsburgh Press you can't find a cigarette butt. He cleans that up every day as only one of his many duties.

Porky, we're honored to have you here today. You know, they honor kings and queens but a lot of times they don't honor guys like you that do more to help people and especially defenseless animals that can't help themselves.

I'd like to read this resolution and make a day for you in the City of Pittsburgh, Porky, for all that you've done for those birds and the people on the North Side.

Mr. Regan presents

No. 2127 WHEREAS, John Sapovchak, who is more well known to Pittsburgh as "Porky the Duck Man", is a life long resident of Woods Run in the North Side; and

WHEREAS, for over 24 years, Porky has been feeding domestick ducks at the Doerr Street Dock and Ohio River, many of which are abandoned by owners after the Easter season; and

WHEREAS, Porky feeds over 3,500 ducks, geese and birds everyday, including Canadian Geese, Falcons, Red Tail Hawks, 2 Golden Eagles, 4 Trump Swan, Blue Herron, 6 Harlequin Ducks from Iceland and Greenland, which take in over 33 species of birds as stated by the Audobon Society; and

WHEREAS, during the Ashland Oil Spill in 1988, Porky and his two dogs walked 37 miles down the banks of the Ohio to the Beaver River searching for polluted ducks to save, and found over 800 ducks on the banks, most of which could not be saved; and

WHEREAS, as a rule, domestic ducks lived only 3 to 6 months on the river due to the pollution from the mills, but now that the rivers are much cleaner, the ducks can live up to 3 to 4 years. Porky's favorite domestic ducks give proof to this new life span - Madonna is 9 years old and Snow Flakes and Molly are 7 years old; and

WHEREAS, this is the first year since the oil spill that the baby ducks are not deformed at birth as was the situation in the last two previous springs 1989-1990; and

WHEREAS, with the exception of some bread donations from Schwiebel's Thrift Store on the North Side, the cost to care and feed the 3,500 birds is borne solely by Porky.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Porky Sapovchak for his efforts and contributions to care for the ducks, geese and birds along the banks of the rivers. Porky is a true lover of animals to the highest degree. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

It could only happen in America, Porky, that we honor you and deserved to be honored

years ago. And I wish your gang of ducks could be here with us this morning to see you in action. I'd like to congratulate you.

The Chair:

Councilman Regan, don't you want to add that February 5th is Porky's Day in the City of Pittsburgh.

Mr. Regan:

Oh, God, I forgot that.

Porky, this is your day in the City of Pittsburgh, and that doesn't happen to a lot of people. Darkins usually has four or five hundred here in a year, I have a couple and the rest of us have a couple. But, Porky, it's your day in the City of Pittsburgh and you can thank my colleagues on Council.

Porky Sapovchak:

Thanks, Pittsburgh, and thank you.

All I want is for the boaters to be safe on the rivers. I'm sorry.

Thank you.

Mr. Ricciardi:

I just want to say that because of John's efforts and the publicity he has received through the local papers and Councilman Regan, that a group of us, Sundays, we're feeding the ducks south of the rivers. It's because of the publicity John has brought out about the ducks.

So, John, your efforts have paid off throughout the City, not just in the North Side.

The Chair:

Thank you all for coming.

Mr. Cohen presented

No. 2058 Resolution providing for the issuance of a warrant in favor of O.W.B. Corporation in the amount of \$39,750.00 in payment of an emergency contract for repairs to the E.H. Swindell Bridge, payable from Code Account EC 90-56. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Mr. Coyne presented

No. 2059 Resolution authorizing the Mayor and the Director of the Department of General Services to enter into an Agreement with the County of Allegheny to convey one 1982 Ford Leach Packer Refuse Truck for one (\$1.00) Dollar, and to maintain said vehicle for the County of Allegheny for cost of labor and material on a month-to-month basis.

Which was read and referred to the Committee on General Services.

Mr. Darkins presented

No. 2060 Resolution amending Res. No. 993, eff. October 4, 1990, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a Selection Truck Scale Ticketing and Data Base System with Multi-User Capability for the Asphalt Division; and providing for the payment of the cost thereof," by increasing the total allocation by \$2,043.00.

Also,

No. 2061 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof.

Also,

No. 2062 Resolution taking, appropriating and condemning by the City of Pittsburgh for public use, certain property of Sarah S. Young known as Hayson Avenue (63-B-156) in the 20th Ward, 17th District, in the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2063 Resolution accepting the dedication of Park Lane Drive as dedicated on the Homewood Park Estate in the 12th and 13th Wards, 9th District of the City of Pittsburgh by Better Block Development Corporation, for public highway purposes, opening and naming the same, fixing the width and position of the roadway and sidewalks, establishing grading, paving, curbing and sewerage thereof. This dedication of property and the improvements for street are to be added to the City street system for a more fluid flow of traffic.

Also,

No. 2064 Resolution accepting the dedication of property and the construction of a road on this property known as Tyler Way between existing Tyler Way and Mayflower Street in the 12th Ward, 9th District of the City of Pittsburgh.

Also,

No. 2065 Resolution granting unto Millie Sass, 348 Lawn Street, her successors and assigns the privilege and license to construct, maintain and use at her own cost and expense, a balcony with posts on a portion of the right-of-way of Elsinore Street in the 4th Ward, 3rd District of the City of Pittsburgh. The request is made by Millie Sass that due to the nature of construction it is required that the encroachment be granted.

Also,

No. 2066 Resolution vacating Cornelius Way from Howe Street to its Southerly terminus in the 7th Ward, 8th District of the City of Pittsburgh. The petitioners, Shadyside Properties, Inc., 272 Shady Avenue, Pittsburgh, PA 15206 have requested this vacation for expansion purposes.

Also,

No. 2067 Resolution vacating Basic Avenue, between Niceville Street and Marilyn Street and vacating a portion of Redpool Way from Basic Avenue 75 feet westwardly by 20 feet and also vacating a portion of Redpool Way from Basic Avenue 25 feet eastwardly by 20 feet in the 31st Ward, 5th District of the City of Pittsburgh, excepting and reserving the 8" sewer line located therein. The petitioner, Peter Savolskis, 4506 Basic Avenue, Pgh., PA 15120 has requested this vacation to consolidate his property.

Also,

No. 2068 Resolution vacating a portion of Washville Street, beginning at Glasgow Street eastwardly 186.05 feet eastwardly by 30 feet to its terminus in the 20th Ward, 2nd Voting District of the City of Pittsburgh. The petitioner, Frank Kutz, 4000 Windgap Avenue, Pgh., PA 15204 has requested this vacation for expansion purposes.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2069 Resolution providing for an Agreement or Agreements with the Community Housing Resource Board to conduct a "Study of Impediments to Fair Housing", at a cost not to exceed \$20,000.00, chargeable to and payable from the 1988 CDBG Program, Dept. of City Planning - Administration (CDCP).

Also,

No. 2070 Resolution providing for an Agreement or Agreements with West End Elliott Joint Project for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2071 Resolution providing for an Agreement or Agreements with Steel Valley Authority for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$46,500.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2072 Resolution providing for an Agreement or Agreements with Spring Garden Neighborhood Council for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2073 Resolution providing for an Agreement or Agreements with Vintage for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2074 Resolution providing for an Agreement or Agreements with South Side Local Development Corporation for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2075 Resolution providing for an Agreement or Agreements with South Side Children's Advisory Council for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$7,500.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2076 Resolution providing for an Agreement or Agreements with Shadyside Action Coalition for operating and/or administrative assistance in carrying out various community economic or social activities, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2077 Resolution providing for an Agreement or Agreements with St. George Food Bank for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2078 Resolution providing for an Agreement or Agreements with St. Clair Citizens Council for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$6,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2079 Resolution providing for an Agreement or Agreements with Rx Council for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2080 Resolution providing for an

Agreement or Agreements with Riverview Center for Jewish Seniors for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$6,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2081 Resolution providing for an Agreement or Agreements with Project "90" for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$1,000.00."

Also,

No. 2082 Resolution providing for an Agreement or Agreements with Pittsburgh Literacy Initiatives for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$17,500.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2083 Resolution providing for an Agreement or Agreements with Persad Inc., for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$6,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2084 Resolution providing for an Agreement or Agreements with Perry Central Neighborhood Council for operating and/or administrative assistance in carrying out various community, economic or social activities, at a

cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2085 Resolution providing for an Agreement or Agreements with North Side Civic Council for operating and/or administrative assistance in carrying out various community economic or social activities, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2086 Resolution providing for an Agreement or Agreements with North Side Civic Development Corporation for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2087 Resolution providing for an Agreement or Agreements with Mt. Washington Community Development Corporation for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2088 Resolution providing for an Agreement or Agreements with Lawrenceville Business Association for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$1,000.00, chargeable to and

payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2089 Resolution providing for an Agreement or Agreements with Larimer-Lincoln Revitalization Corporation for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2090 Resolution providing for an Agreement or Agreements with Just Harvest for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$1,234.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2091 Resolution providing for an Agreement or Agreements with Homewood Brushston Merchants Association for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2092 Resolution providing for an Agreement or Agreements with the Historical Society of Western Pennsylvania for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$11,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2093 Resolution providing for an Agreement or Agreements with the Hill District Civic Association for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2094 Resolution providing for an Agreement or Agreements with Hill Community Development Center for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2095 Resolution providing for an Agreement or Agreements with Greater Pittsburgh Commission on Women for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$8,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2096 Resolution providing for an Agreement or Agreements with Friendship Preservation Group for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2097 Resolution providing for an Agreement or Agreements with Ethnan Christian School for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2098 Resolution providing for an Agreement or Agreements with East Liberty Concerned Citizens for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2099 Resolution providing for an Agreement or Agreements with Bloomfield Block Watch for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2100 Resolution providing for an Agreement or Agreements with Bethlehem Temple Christian Academy for operating and/or administrative assistance in carrying out various community, economic or social activities, at a cost not to exceed \$4,000.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Which were severally read and referred to the

Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 2101 Resolution providing for the issuance of a \$1,675.86 warrant in favor of William M. Daniels in settlement of claim for vehicle damage to his parked 1983 Lincoln Sedan by Department of Public Works personnel on September 10, 1990, payable from Code Account No. 46, Judgments. The entire vehicle had been spattered with concrete.

Also,

No. 2102 Resolution providing for the issuance of a warrant in the amount of \$4,200.00 to Harry R. Burkhart and Donald R. Burkhart, 2553 Royal View Drive, Allison Park, PA 15101 in full settlement of a claim for fair market value of a motor vehicle erroneously delivered to a salvor, payable from Code Account No. 46, Judgments.

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 2103 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase memory boards for the Bureau of Administration, Communications Section, at a cost not to exceed \$57,050.00, chargeable to and payable from Code Account 1405, Bureau of Administration, Department of Public Safety.

Which was read and referred to the Committee on General Services.

Also,

No. 2104 Resolution providing for an

Agreement or Agreements with the Center for Victims of Violent Crime for professional services in connection with advocacy services at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2105 Resolution providing for an Agreement or Agreements with the Legal Advocacy for Women, AKA Support of the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1991, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2106 Resolution providing for an Agreement or Agreements with the Salvation Army for professional services in connection with the Public Inebriate Program at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account 1401, Department of Public Safety.

Also,

No. 2107 Resolution providing for an Agreement or Agreements with National Night Out for services for the residents of the City of Pittsburgh during 1991, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2108 Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM)/Infectious Disease Control in connection

with Emergency Medical Services of Pittsburgh at a cost not to exceed \$180,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2109 Resolution providing for an Agreement or Agreements with the Alcoholic Recovery Center (The A.R.C. House) for professional services for residents of the City of Pittsburgh during 1991, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2110 Resolution providing for an Agreement or Agreements with Women's Center & Shelter of Greater Pittsburgh for the furnishing of professional services for the benefit of residents of the City of Pittsburgh during 1991, at a cost not to exceed \$36,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2111 Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM) in connection with Emergency Medical Services of Pittsburgh, at a cost not to exceed \$43,000.00, chargeable to and payable from Code Account 1421, Bureau of Emergency Medical Services, Department of Public Safety.

Also,

No. 2112 Resolution providing for an Agreement or Agreements with Three Rivers Adoption Council for professional services at a total cost not to exceed \$1,500.00, chargeable to

and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2113 Resolution providing for an Agreement or Agreements with Medication Services for professional services at a total cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2114 Resolution providing for an Agreement or Agreements with Pittsburgh Recovery Center for professional services at a total cost not to exceed \$8,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2115 Resolution providing for an Agreement or Agreements with the Parental Stress Center for professional services at a total cost not to exceed \$3,500.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2116 Resolution providing for an Agreement or Agreements with the Sickle Cell Society for professional services at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 2117 Resolution providing for an Agreement or Agreements with Polish Hill Citizens Association for the Kidswatch Program at a cost not to exceed \$10,000.00, chargeable to

and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Which were severally read and referred to the Committee on Public Safety.

UNFINISHED BUSINESS

The Chair presents

No. 2043 Resolution reappointing John A. Zottola, 6129 Jackson Street, Pittsburgh, PA 15206, to the Board of Adjustment of the City of Pittsburgh for a term to expire January of 1994.

Which was read.

Also,

No. 2049 Resolution reappointing Lewis Borman, 6017 Grafton Street, Pittsburgh, PA 15206, to the Pittsburgh Water and Sewer Authority Board of the City of Pittsburgh for a term to expire January of 1996.

Which was read.

Also,

No. 2057 Resolution appointing James R. Overton, 2439 West McIntyre Place, Pittsburgh, PA 15214, to the Minority and Women Business Enterprise Review Committee of the City of Pittsburgh for a term to expire April of 1992. Mr. Overton will replace Regis Darrow Bobonis.

Which was read.

Also,

No. 2052 Resolution appointing Michelle Jones, 1329 Page Street, Pittsburgh, PA 15233, to the Human Relations Commission of

the City of Pittsburgh for a term to expire July of 1994. Ms. Jones will replace John Wilds.

Which was read.

Also,

No. 2053 Resolution appointing Barbara S. Burstin, 1435 Bennington Avenue, Pittsburgh, PA 15217, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Ms. Burstin will replace Dorothy Binstock.

Which was read.

Also,

No. 2054 Resolution appointing Peter Georgiades, 54 South Twenty-Second Street, Pittsburgh, PA 15203, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Mr. Georgiades will replace James Vallas.

Which was read.

Also,

No. 2056 Resolution appointing Brenda F. Berrian, Department of Black Studies, University of Pittsburgh, 3T01 Quadrangle, Pittsburgh, PA 15260, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Brenda F. Berrian will replace Dorthea Mason.

Which was read.

Mr. Ricciardi:

Mr. President, I'd like to make a motion that we hold all of the appointments and reappointments for one week.

Mr. Regan seconded the motion.

Mr. Milliones:

Discussion. I would argue in opposing that motion and my reason principally is that the appointments to the Human Relations Commission and the MBE, in particular, needs to proceed because it affects the Black and minority and African-American community more than any other committee or commission in the City. There is work to be done today that affects various developments and various programs that are operating in the City.

I would urge my fellow Councilmen not to use this issue of the Human Relations Commission as a toy because, indeed, it affects a variety of people and programs within this City.

We can have our disagreements with both the Mayor and with each other, but I see this as not the way to resolve the issue. The Mayor has the prerogative to appoint who she wishes, and if someone objects to a particular nominee, they should vote against that nominee, but not to hold it and to play with it because it affects much that is going on, specifically in my community. I have some problems with it.

Mr. Ricciardi:

Thank you for those comments, Dr. Milliones.

First of all, I'd like to say that I compliment all the nominees that the Mayor has made to the Pittsburgh Commission on Human Relations. I think they're all very competent, they're well-prepared, and they're sincere about their appointment to the Commission. But I think there's a very important question that needs to be asked here, and that is why six experienced Commission Members were not reappointed, including its Chair and Vice-Chair.

It's very difficult for me not to believe that their reappointment was directly related to their decision not to participate in the MBE or WBE program. And if that's true, that's very disturbing. It's mandated in the City Charter --

The Chair:

I have to interrupt here with all Councilmembers. The issue in front of us is not the worthiness of appointments or people being removed. The issue in front of us is whether or not we want to hold this one week.

Mr. Milliones:

For what purpose? That's the issue.

The Chair:

That's exactly right.

Mr. Milliones:

For what purpose? What is the purpose of holding one week?

The Chair:

The purpose to hold one week. That is the only issue on the floor. And I would ask each Councilmember to please talk to that issue or we're going to vote on the motion to hold.

Mr. Ricciardi:

In effect, I respect that, Mr. Chairman, but I guess that's what I was working into to explain to Dr. Milliones.

I would like to hold for one week for continued discussion with the Administration concerning several of their appointees.

Michelle Madoff:

On the issue to hold. It seems to me that we're toying with the lives of people who have had their lives toyed with for years. It would be irresponsible for this Council to assume the role of the Administration. If you want to send a message, write the message. I think the message can be stated here, but don't punish the people that need help by holding the bills.

I asked you to take the bills separately. Let's discuss the Human Relations appointments separately. Let's get on with the others. Let's get on with the business of Council.

Mr. Ferlo:

Mr. Chairman, I have no problem holding it for a week but I don't understand what the purpose is, quite frankly. And when it gets down to it, you're either going to be for the appointments or against the appointments. You could possibly be for the appointments because of the quality and the character of the individuals, all of whom are obviously qualified to serve.

I don't feel that's the issue before Council, unlike my colleague, Michelle. It takes two to tango. The Mayor has made appointments and it takes Council to confirm. I personally will be voting no on all of them on the principle issue that I think it's wrong for the Administration to retaliate against the Commission because it has grown in disfavor with the policy of the Administration. That's a wrong message to send. As a Councilmember, I would not vote and condone that kind of behavior on the part of the Administration.

At the same time, I don't dispute the fact that the Mayor has the prerogative to appoint new people whenever she wants to do that.

I don't know what we're going to argue or

learn about or debate a week from now that we haven't already actually decided today. I think we should just vote it up or down, depending on what our view is on the issue.

Mr. Darkins:

Mr. President, I openly, wholeheartedly, 100 percent, join with Dr. Milliones with what he has said and would like to add to it.

I don't think any of my colleagues here on Council has served as a Commissioner for that Commission. I served that Commission several years. I know the operation of the Commission. And today, for us to put a hold on these appointments is only moving us backwards.

It has been for so many years, until we had district elections, so many years before the district elections came, when people would come to town not knowing where to go, who to go to, or how to have it done. I speak wholeheartedly because in the Ninth Council District, many of our people are affected around this Commission.

I don't see any reason for us to hold these appointments. I think that we should carry on as usual and vote on each individual person and those who are for it can be for it. I want us to move forward. Today we stand still and many cases that are yet pending upstairs are holding up there because they don't have the full Commission to do the job that has to be done. So, I'm for us moving forward.

Mr. Cohen:

Mr. President, I respectfully disagree with my colleague. I could use a week to further examine the way in which these appointments and the decision not to reappoint members was made. But, moreover, I think, in fact, the Commission will move more smoothly if we have a little bit of time.

I have spoken with many members of the Commission and those that are being taken off, are not being reappointed, have, in fact, presided over cases that need to be disposed of, that need to be closed. One in particular involved a two day hearing, almost 16 hours of deliberations, that cannot be concluded because the two members who are presiding over that hearing are being taken off.

My understanding is that they could use a little bit of time to close those cases before a wholesale group of new members comes in.

The Chair:

I personally have no problem in holding these one week. This Council has done that repeatedly in the past on various appointments and I do not see anything wrong with doing it here.

It's my intent to vote for the Human Relations Commission appointees and the MBE appointee. But I see no problem holding one week.

Mr. Millions:

I haven't received any calls; I believe I did talk to one Commissioner. So, it's interesting, Mr. Cohen, that you have received so many calls about a Commission that you, it seems to me, know very little about since you haven't been around in Pittsburgh that long.

But, apart from that, my reason for supporting moving these nominations along have nothing to do with the Mayor's prerogative or the quality of the nominees. I have some problems with the Commission, frankly. I have had some problems with how the Commission has functioned over the last 5 or 6 years. Now, some folks will agree with me and some folks will

disagree with me. But I don't think the Human Relations Commission has been a knight in shining armor with respect to civil rights, with respect to enforcement, and with respect to moving along some of the important issue which are its mandates.

I think it's time for a change. It has nothing to do with the Mayor's prerogative or the quality of the nominees. There needs to be a change in the Commission.

So, on that basis, my position has not been the process or whether the Mayor has the prerogative or not; I think there needs to be a change at the Human Relations Commission.

I have complained yet today about the projects and programs that are going on in my community that the Commission has signed off on when, in fact, there is no minority participation. I think there are a lot of questions to be asked. I've asked them some time ago.

Mr. Regan:

I would like to say on behalf of my friend, Councilman Cohen, that I think he's very sensitive to the issues of today. I think he's a bright, young, intelligent young man. He and I have disagreed on a lot of things but I think the one thing he is is very sensitive to the needs of the people and I just want to say that on behalf of him.

I also would like to say that the appointees are now serving. They're on the Commission right now.

Mr. Millions:

That's not what I understand.

Mr. Regan:

They're doing their job. I don't see any

problem.

But the thing that I can't understand in the letter that I received from the Commission, and I think that we should at least be given another week, how can all these people be trumpeted in as such great people, citizens of the City of Pittsburgh, and all of a sudden they're bad people. People don't go bad in a couple days or they don't go bad in a year.

The Chair:

Again, we're talking about the motion to hold a week. Let's have just a couple more comments and then vote on it.

Mr. Ferlo:

Mr. Chairman, I think we should be debating the merits of the issue. Either we're for the appointments or we're against them, for whatever reason.

The Chair:

We will do that when we vote on the appointments.

Mr. Ferlo:

I don't see any need to hold them. I don't see what new information is going to come to the table in a week.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Regan

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 4

NOES 5

VOTING NO:

Mr. Coyne
Mr. Darkins
Mr. Ferlo

Michelle Madoff
Mr. Milliones

And there not being a majority of the votes of Council in the affirmative, the motion was defeated.

The Chair:

We will now take these appointments based on the area in which they are being appointed. Since we were recently talking about the MBE, let's take that appointment first.

Mr. Ferlo:

Point of Procedure, Mr. Chairman. Can we vote on each individual appointee separately, please?

The Chair:

If that's the will of Council, yes.

Mr. Ferlo:

I'm making a motion that we vote on each one separately.

Mr. Milliones seconded the motion.

Which motion prevailed.

The Chair:

Let's take the MBE appointment first.

No. 2057 Resolution appointing James R. Overton, 2439 West McIntyre Place, Pittsburgh, PA 15214, to the Minority and Women Business Enterprise Review Committee of the City of Pittsburgh for a term to expire April of 1992. Mr. Overton will replace Regis Darrow Bobonis.

Which was read.

Mr. Ferlo:

I just want to compliment the Mayor. I think she made a great appointment. One of the criticisms I've had of this committee has been that there is a glaring lack of minorities on the committee who actually have a background in finance and a background in running a business. And if I read the resume correctly from this gentleman, he indeed has a lengthy background in financial matters and business affairs and it's about time we had individuals on this committee who actually know the problems confronting a minority business community.

So, I'm very excited about this appointment and I look forward to some change in views and better scrutiny. And I would hope that as the gentleman indicated at the table, that when there are major development projects coming to this City and have required the participation of City Council and public dollars, I think we should have a better way of quantifying the impact that those developments have as it relates to fulfilling the set aside requirements, which has not been done in the past.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the appointment of James R. Overton was approved.

Also,

No. 2052 Resolution appointing Michelle Jones, 1329 Page Street, Pittsburgh, PA 15233, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Ms. Jones will replace John Wilds.

Which was read.

Mr. Ferlo:

I think we should reject the appointment of Michelle Jones basically for two reasons. Basically, I think it's a clear conflict of interest. The whole purpose of the Commission is to be separate and distinct and apart from the operations and the administration of government. We need an independently appointed body that indeed can be independent.

This is no disrespect to Ms. Jones. Her qualifications, her education or her background. It's the principle of the issue that I personally

would like to stand on, and that is that a Mayor staff person should not be on the Commission. There are too many instances where there is inherent conflict of interest and I don't think it's enough for individuals appointed to these important commissions to just reclude themselves once in a while. I think it's wrong.

If we continually talk about the hundreds of qualified citizens, men, women, black, white, young and old, who are yearning to serve on public forums and commissions and bodies. There's a wealth of expertise out there and I think we should look elsewhere for an individual to serve on the Commission. It's a conflict.

The second reason why I'm objecting to Ms. Jones, as well as all the appointments, I do think it's retaliation on the part of the Administration who disagrees more recently with the policy that the Commission disagreed with. I think it's wrong for Council to support and condone that behavior. That behavior expressed itself also in the removal of one of my colleagues from an Authority. I think it's wrong.

It doesn't mean that we disagree with the ability or the prerogative of the Mayor to make appointments. That's clearly stipulated and law. But in terms of public policy and politics, I think it's bad, it's wrong, and I'm not going to condone it.

Mr. Cohen:

Mr. President, I believe that all of the nominations to the Human Relations Commission are very well qualified. I was impressed with all of them when they appeared before Council last week.

For that reason, I will be supporting all of them, except for one, and I regret that I cannot support Michelle Jones. I have little doubt that she has the qualifications to be on the

Commission and to do an excellent job. That has nothing to do with it. It has everything to do with her position of Administrative Aide to the Mayor.

I agree with Mr. Ferlo that it creates conflicts of interest that really can't be reconciled with the position on the Human Relations Commission. The Human Relations Commission is the only commission established by the Home Rule Charter and it's intended to be independent in every sense of the word. And I think that as hard as Michelle Jones would try, that she can't be a purely independent voice when she is also employed by the City.

About 80 percent of the Human Relations Commission's work is of a judicial nature in the sense that they decide specific cases before the Commission. That includes complaints against institutions, organizations and individual people. I think this adds the need for their independence. It is especially true since some of these complaints may well be against the City of Pittsburgh. It has happened in the past.

The remaining 20 percent, my understanding is, that the Commission makes policy decisions and all of the Commissioners have to be able to set policy independently and as they see fit, and not to be unduly influenced by any other branch of government.

So, because of this conflict of interest, I cannot support this appointment. But, again, it has nothing to do with her qualifications, but rather with her position.

Mr. Regan:

I would like to say with the appointments put forward, it has nothing to do with the individual or their ability to get the job done. I am going to abstain on all of these. That is the only way that I have to protest.

Michelle Madoff:

If we had an overwhelming preponderance of people who were not independent people, I would have the same concerns that my colleagues have honestly expressed. But I don't think it would hurt us to have the message go back directly to the Administration on really serious matters of discrimination and what is happening to those that are discriminated against. I think it's a pipeline that might benefit us in the overall long term to be beneficial to the communities.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5 NOES 3

VOTING NO:

Mr. Cohen	Mr. Ferlo
Mr. Coyne	

(MR. REGAN ABSTAINING)

And a majority of votes of Council being in the affirmative, the appointment of Michelle Jones was approved.

Also,

No. 2053 Resolution appointing Barbara S. Burstin, 1435 Bennington Avenue, Pittsburgh, PA 15217, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Ms. Burstin will replace Dorothy Binstock.

Which was read.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

(MR. REGAN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointment of Barbara S. Burstin was approved.

Also,

No. 2054 Resolution appointing Peter Georgiades, 54 South Twenty-Second Street, Pittsburgh, PA 15203, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Mr. Georgiades will replace

James Vallas.

Which was read.

Mr. Ferlo:

Discussion. I don't want to repeat myself. Obviously I've stated why I'm voting no on all of these. But I do think it's important to point out that I would hope that Council be concerned about the issue of the breadth of the Commission as it relates to racial, gender, ethnic diversity, as well as constituency diversity.

Mr. Georgiades is replacing Mr. Vallas. I think it's important that the labor constituency be represented on the Commission. That does not mean that labor decides on all these issues; it only means that to have a commission that is widely representative of concerns and viewpoints and issues confronting the Commission. I think it's important that that constituency be expressed and present on the Commission.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

(MR. REGAN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointment of Peter Georgiades was approved.

Also,

No. 2056 Resolution appointing Brenda F. Berrian, Department of Black Studies, University of Pittsburgh, 3T01 Quadrangle, Pittsburgh, PA 15260, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. Brenda F. Berrian will replace Dortehea Mason.

Which was read.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

(MR. REGAN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointment of

Brenda F. Berrian was approved.

The Chair:

That concludes Human Relations Commission. We now move to the Board of Adjustment, the reappointment of Mr. John A. Zottola.

No. 2043 Resolution reappointing John A. Zottola, 6129 Jackson Street, Pittsburgh, PA 15206, to the Board of Adjustment of the City of Pittsburgh for a term to expire January of 1994.

Which was read.

Mr. Ricciardi:

Mr. President, I think Mr. Zottola has been very competent and professional on the Zoning Board of Adjustment. As a matter of fact, he has lived up to many of his commitments. Those were timely decisions, decisions made on the spot, in keeping to the schedule.

Unfortunately I could not make it to the table while Mr. Zottola was here. I was hoping that my colleagues would become part of the discussion. There's hopefully going to be a slight policy change that the Chairperson has agreed to, and that's better informing the people when his decisions are being appealed, this way giving the neighborhood groups and the residents of the neighborhoods a better chance to intervene.

So, that was the reason I asked him to the table. He has agreed with me and, unfortunately, we were not able to discuss it. But when I receive written correspondence of the change, I'd like to forward it to everyone. I think Mr. Zottola has done a marvelous job down at ZBA.

Mr. Ferlo:

I just want to say once again, I said at the

time, that I thought the Mayor made a great appointment in appointing John Zottola. I've been before him and the Board many times in the last many months. I'm very impressed with the way he handles and runs the meetings as well as just the whole manner in which he provides an opportunity for anybody who is appearing before the Board, be they a large development interest or an individual citizen, to be able to speak comfortably to the Board about whatever their issue is. I think he has helped to expedite meeting. I think he has rendered expeditious decisions in stead of people waiting around for weeks on end. I think he's a great appointment.

Mr. Regan:

I just want to say that I feel that he's very well qualified. He's a great addition to the City of Pittsburgh.

I agree also with the Councilman that we have to make sure that people are better notified.

I am going to abstain again, not because of John personally, but in protest.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo

Michelle Madoff
Mr. Milliones
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

(MR. REGAN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Zottola was approved.

The Chair:

We have one final appointment which is to an authority. It is the reappointment of Mr. Lewis Borman.

No. 2049 Resolution reappointing Lewis Borman, 6017 Grafton Street, Pittsburgh, PA 15206, to the Pittsburgh Water and Sewer Authority Board of the City of Pittsburgh for a term to expire January of 1996.

Which was read.

The Chair:

I would like to ask Council to hold this and my reason is as follows. You will find at the end of this meeting under Motions and Resolutions, Mr. Regan has been suggested to be appointed to the Steel Valley Authority. We have received an opinion from the Steel Valley Authority that under their bylaws it was never their intent to have an elected official serve on that authority.

There are ten communities that are part of the Steel Valley Authority. If Mr. Regan were appointed to that of which I know he does not want to serve on that authority, it would require that authority, the Steel Valley Authority, to have elected officials from nine other communities and, in essence, be composed of a political body on their Board of Directors, which was never their intent.

My point is this. The Charter indicates that each Councilmember should serve on an authority. Some Councilmembers have refused. Some have been offered; some have refused. With the appointment of anyone to any authority by this Council, we are, in essence, freezing out a colleague from the appointment to an authority.

I personally think Mr. Regan should serve on an authority that is a City authority or a joint City-County authority, and should have the opportunity just like any other Councilmember. Therefore, I would request that we hold this. If we are voting on it, I will vote against it.

Michelle Madoff:

May I have equal time? Just to set the record straight, for almost ten years I was not appointed to any authority or commission. I think the previous Administration was correct; I would probably have it audited.

Secondly, when I was asked to be on an authority, that was the Leasing Authority, it was a six month appointment, I made sure that everything was okay and I didn't feel that was the proper thing to do.

Unlike my colleagues who don't share my viewpoint, I think it is inappropriate for an elected official to sit on any board or authority simply because of the undue influence that can be perceived, even if we don't exercise it. The mere presence of being there.

Mr. Ferlo:

Again, on this same issue. I don't know what holding this is going to do. I'll be happy to vote for it but I'm not sure in the week's time or two week's time or three week's time what's going to happen differently on the political level or policy level that's going to change anything.

Each authority is created by a separate State act. In the case of the authority in question, the Steel Valley Authority, it's created initially under the Municipal Authorities Act, if I understand the legal opinion correctly, and the memo from Jay Hornack from the Authority. Every other authority, the Housing Authority is a separate State act, the Parking Authority, the Stadium Authority, etc. I don't know that there's much legal argument to raise as to whether or not the Mayor has the prerogative to appoint at will the members of the Stadium Authority. It seems to me pretty clearly that she has the ability to do that.

So, if we could hear an explanation as to what holding this for a week is going to do. If we're going to engage in politics, then I would suggest that we call -- If we want to support Mr. Regan on the question of politics in terms of his lack of being on an authority in the City, I would suggest that we use the power of Council to call the Mayor to the table and discuss this issue, and that takes five votes of Council. Otherwise, I'd rather just debate the merits of Mr. Borman's appointment.

I've already expressed myself; I don't think we need another Mayoral staff person on the Water and Sewer Authority. I'm not happy with the vote for the water rate increases that he just voted for. They have an uncollected debt, etc., etc. I think we should vote it up or down unless somebody can explain to me what the purpose of holding it for a week is going to achieve.

The Chair:

If I may clarify myself, all the other appointments we approved today were commissions and boards. This is the first authority that we've voted on and I'm sure there will be future proposals for us to vote on confirmation for people to authorities.

I'm a firm believer that a Councilmember on an authority plays a very important role. Some don't agree with me on that. I have done that on Alcosan and each one of you have done it on other authorities. You have actually brought authorities into line in this City within the last two years.

I personally feel that we should make it a priority for our colleagues to have the opportunity to serve on authorities and no one should be put in front of our colleagues if that wish or that desire is present. And it certainly is with Mr. Regan. Consequently, I don't think that we should be voting on any appointments to any authorities, only authorities, that fall under our jurisdiction until Mr. Regan has been appointed to an authority.

Mr. Ferlo:

Okay, so really now you're raising the issue substantively of the political checker board game or political chess game. Are you now saying that we shouldn't make any other appointments to authorities or commissions until such time that Mr. Regan is given consideration?

The Chair:

Yes.

Mr. Ferlo:

Okay, well that's the issue before us. If that's the issue that we're voting on, then I'll vote accordingly. But let's be clear about what the issue is that we're voting on.

The Chair:

Consequently, I'm only asking to hold this appointment.

Mr. Cohen:

Mr. President, I very strongly think that Councilman Regan should be on an authority because that's what the Home Rule Charter says and because I respect him very much. But I fail to see the relationship between that issue and the issue before us which is an appointment to the Water and Sewer Authority. So, I can't support a motion to hold on this.

The Chair:

Is there a motion to hold? I would ask that there be one.

Mr. Ferlo:

I'll make the motion to hold with respect to the Chair.

Mr. Regan seconded the motion.

Michelle Madoff:

It is becoming very apparent there's a little dissension between some Councilmembers and the Administration. And after ten years of watching what happened and the battles that went on in this Council between myself and some of the previous Presidents and the reputation that this Council got, I think it would be appropriate for Mr. Regan and the Administration to sit down and work out their differences. There will be other appointments and I'm sure that this Council would support him. He's a fine gentleman to be serving on something else. I don't think we should make this the battleground and indulge in high school intrigue.

Mr. Ferlo:

Mr. Chairman, I'm voting against the appointment of Mr. Borman for the reasons I have stated. But here now I'm saying that now is

the time for all good Councilmembers to come to the aid of their colleague. I'll vote to hold it for one week.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo
Mr. Regan

Mr. Wagner
(Pres't)

AYES 3

NOES 6

VOTING NO:

Mr. Cohen
Mr. Coyne
Mr. Darkins

Michelle Madoff
Mr. Milliones
Mr. Ricciardi

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

On the appointment. Is there a motion to approve?

Michelle Madoff:

So moved.

Mr. Ricciardi seconded the motion.

Mr. Ferlo:

Discussion. On the appointment, Mr.

Chairman. I'd like my comments brought forward.

Michelle Madoff:

I would like my comments brought forward also.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS - RE-APPOINTMENT OF LEWIS BOREMAN)
(Wednesday, 1/30/91)

Mr. Ferlo:

How did you vote on the rate increase issue, water rates, and why?

Mr. Borman:

Let me just say a couple things, Jim, because I know you have some concerns. I know we will eventually get around to answering your question.

I think the Administration has honored me by appointing me to this particular authority, which is not exactly the most desirable, but I think it is one which I take very seriously. It is one that lays the infrastructure for the next century.

I think one of the major advantages to my being on this authority is the fact that I am readily available in terms of emergency, in particular. Whenever there is an emergency that needs an authorization, it is pretty easy to get someone from the Mayor's office to respond. But I take this position very, very seriously. I visited the Water Department directly, have observed the water treatment facility directly, and I take the issue of operations and management of that Water and Sewer Authority very, very seriously. So all in consideration, in fact, after studying the budget, as we all did as was prepared by the Water and Sewer Authority, I did support the increase, as did nearly everyone on the Board.

Mr. Ferlo:

Why increase water rates when there is such a large amount of money in uncollectables?

Mr. Borman:

I think you raise a good point. I believe the Authority is making progress in that area. They are making progress by tighter management, by terminating service and by better collectables. They still have a long way to go, there is no doubt about it. I wish we could wipe it out tomorrow.

Mr. Ferlo:

If it came down to a tie vote on the Authority, and you were the deciding vote and there was a policy issue that you disagreed with regarding Mr. Turner or the Mayor herself regarding any policy issue on the Authority, how would you vote?

Mr. Borman:

It is a theoretical question. I take the responsibility of my sitting on the Authority as representing all of the citizens as a member of the Mayor's office. So it depends on what the issue is. If it is something I felt strongly about, I would take it as it comes.

Mr. Ferlo:

I voted against you originally, because I believed there were too many Mayoral staff people on the Authority, this Authority in particular, and I respectfully will vote against you again. I think we should use the Authority to place other individuals from the community, others who have also additional expertise regarding utility matters, in this case water, engineering and construction, consumer issues, there is a whole gamut of individuals that we could draw from in the community. This authority should not be one that is so heavily controlled by the Mayor and administrative dictates. So I will vote against you.

(MICHELLE MADOFF'S COMMENTS - RE-APPOINTMENT OF LEWIS BORMAN)
(Wednesday, 1/30/91)

Michelle Madoff:

We have talked many, many times about the Water Department, and I believe you were courteous enough when you first arrived to read my performance audit I had done. I guess it was a combination fiscal and performance audit on the Water Department.

We have discussed perhaps many, many times in details the problems of the Water Department. I think we are in agreement that much needs to be done. Some things are happening, and I am delighted that many of my recommendations were adopted by Mr. Turner and Dawn Botsford. But I think the time is rapidly approaching that we need to have a post agenda or maybe a public hearing on what is the status of what Dawn Botsford, the new Director, has accomplished in the Water Department and see the difference. I respectfully ask that you be here, and of course you will be here, correct?

Mr. Borman:

That is correct.

Michelle Madoff:

I have to tell you that I don't often agree -- we personally agree many times, but I think Mr. Ferlo has a valid point. I have raised this issue for 13 years; mostly the last five or six years. We have an outstanding account of \$18 million and we need to purge that, because much of it is not realistic, some of it is our own buildings using water, some are vacant lots. It is a housekeeping/bookkeeping matter. Our big problem as I perceive it is not with the Administration of water pressure, which we do have problems in because we need to put in new lines in order to solve that kind of problem, it is not with consultants in water generally, I have not seen an abuse there. I think the contracts and what has been accomplished through the Water and Sewer Authority -- which I opposed initially, I thought it was a terrible thing to do -- but the results have been such that we have seen some really meaningful infrastructure improvements in the Water Department, things we couldn't have done as we raised the money. But in the administrative end of the business, in the Water Department, I do not know that we have had as much improvement as we need to have as rapidly as could have been shown. I think it would have been more productive had we had Dawn Botsford here prior to your being appointed.

But I would respectfully ask that you consider the fact

that the worst possible scenario, we have \$6 million sitting out there, collect the \$6 million before you raise rates. And I have to agree with Mr. Ferlo. He is only repeating what I said ten times, but that is all right. He learned something.

Mr. Borman:

I don't disagree with you.

Michelle Madoff:

I am going to be riding herd as I have on this issue and on the Administration and watching it very carefully. It is my committee. I am glad people are learning that this is a very serious problem, my colleagues being supportive. Please, reconsider when you go to vote on rate increases. Can we expedite the collection? I don't want it to go to a collection agency, because if you are going to have one, I will start it. 25 percent, I will be rich, I can retire.

People who owe their water bills are not people on pensions and little widows and senior citizens. They pay. But there has been a philosophy of, "I don't have to pay my water bill." We have to rectify that by massive shut-offs of those who don't pay their bills. I want to see those names in the papers, like they do in other cities. I know the reason we haven't done it here, because it is the intention of the Administration to do that, is that it is such a mess, there are 80,000 accounts, getting those accounts with the correct phone numbers and addresses of owners is a massive undertaking, and it is going to time. But when that is done, I want to see four times a year those delinquent people and the fact that we notify anybody, we will shut them off. On the other hand, I don't want to see people who have been victims paying their bills because they say, "I don't want to be in the paper, so I am going to pay my bill," and I think Mr. Ricciardi has addressed very significantly in his amendment by having this new review board. I want to tell you lots of luck. I will with you.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Mr. Ferlo:

There's no way that City Council should approve this appointment. It's about time City Council try to deal fairly with these authorities. We need to get other people on this authority that can deal with problems that exist in this authority. And I find it unconscionable that Mr. Borman voted to increase water rates at a time that there is such an uncollected debt of revenue that should be collected. There are other people and there's other levels of expertise that should be put on this water authority. It should not be politically controlled and administratively controlled by the dictates of the Mayor and Director Turner. That's wrong.

And there are a lot of problems with the Authority that even haven't come out regarding arrangements with consultants, cost overruns and construction projects, etc., and time does not permit me at length to talk about problems.

But we need some new and independent people on that authority and not someone that's going to do the political bidding of the Administration. Now is the time for Council to speak out against water rate increases and put some people on the Authority that are going to be independent and bring some level of expertise to that authority.

The public is looking to us to provide some checks and balances and if we approve, rubber stamp this appointment again, I think we're making a mistake.

Mr. Ricciardi:

I share many of Councilman Ferlo's concerns about the composition, the make up of the Pittsburgh Water and Sewer Authority. It's no secret that three members of the Board are City employees.

On a side note, I agree wholeheartedly with Councilman Ferlo concerning the water rate increase, a battle which Ann Davis from Polish Hill and myself lost after we provided figures believing that there should not have been a water rate hike.

However, after much discussion with Mr. Borman, I found him to be very knowledgeable and thoughtful on his issues and his stance concerning water and sewer issues in the City of Pittsburgh.

If my colleagues can recall, at the Committee Meeting I was very pleased that Mr. Borman is going to support, and agrees with me, that all board members should have access to all invoices. Those are contract invoices, general invoices. And also at the table, and it's a matter of record, Mr. Borman said that he would support, and he agrees with me, that we should have verification of all of these invoices including verification from our own City departments, such as the Department of Public Works and the Department of Water. This would be a great checks and balances for the water rate payers.

So, even though I share Mr. Ferlo's concerns, in this case looking at the individual, I will be supporting Mr. Borman.

Michelle Madoff:

It's unfortunate, as I stated previously, that we did not have Ms. Botsford who is relatively new, head of the Water Department Committee, come and tell us what progress has been made, if any, and let us see how we feel about what is happening.

It is well documented that over the years I have spent a lot of time talking about the things that people are suddenly saying they now know about. I feel that someone has been teaching and somebody has finally learned. The outstanding

millions of dollars in the Water Department absolutely impact on rate increases.

I have letters that I would like to share anytime with my colleagues that were sent to Mr. Roddey at the time when he was Chairman. I'd like to show why they felt they had a commitment on the debt service of the bond issue and they had to go with commitments to meet those bond issues and not with perhaps what might happen.

But I think the way to address this issue is not to target Mr. Borman but indeed to have Dawn Botsford here and ask the question which I have asked at least 2,000 times -- What is the progress in collecting the delinquent accounts? And it might even be a good idea to have the Chairman of the Water Department here to say, how are you going to interact these two activities, get the money, and how will you lower the rates? That is where we can be productive. We don't have to sit on that board and vote.

I've done an audit a year and a half ago, and a lot of my recommendations, I've been told, have been adopted. I want to see what has happened and what progress has been made.

I can meet with Dawn myself, and I have. But I don't think that enlightens this Council. I think it would be a good post agenda for all those who have screamed and complained about the same things that I have complained about the problems with the Water Department. Let's get an update. And I would like to respectfully request that we do that shortly.

Mr. Ricciardi:

I'd like to ask Michelle if she would call that post agenda on a side note.

Michelle Madoff:

I just did. Just this minute.

Mr. Ricciardi:

Great. Thank you.

Mr. Cohen:

On the appointment, Mr. Chairman. I agree with what has recently been said, and that is that I think Mr. Borman had good comments before Council on Wednesday about some of the issues that Councilman Ricciardi raised. I know him to be a man of intelligence and integrity and I think we should support his appointment.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi

AYES 6 NOES 1

(MR. FERLO VOTING NO)

**(MR. REGAN AND MR. WAGNER
ABSTAINING)**

And a majority of the votes of Council being in the affirmative, the appointment of Lewis Borman was approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2118

Report of the Committee on Finance for January 30, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1955

A Resolution entitled, "Resolution providing for the transfer of funds totalling One Hundred Twelve Thousand Eight Hundred Eighty Six (\$112,886.00) Dollars, from Capital Account 3-30-01-0004-90, Index Code 830158, Energy Conservation Improvements for Public Buildings, to the Duquesne Light Refund Trust Fund (DLRTF), Index Code 251447, for the purpose of purchasing and installing energy conservation lighting at Phipps Conservatory."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

Michelle Madoff

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1963

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$55,000.00 to Donald Jones, c/o Jack Hickton, Esq., his attorney, Jack Hickton & Associates, 615 Washington Road, Mt. Lebanon, PA 15228 in full and final settlement of an alleged accident wherein plaintiff sustained a fall on a deteriorated condition on West Carson Street in the City of Pittsburgh on or about April 14, 1986."

Which was read.

Also,

Bill No. 1964

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$16,500.00 to Leslie Bailey and Trudy Bailey, his wife, c/o Jonathan E. Jones, Esq., their attorney, Ogg, Jones, Desimone & Ignelzi, 245 Fort Pitt Boulevard, Riverview Place-Fifth Floor, Pittsburgh, PA 15222, in full and final settlement of an alleged fall on Cedar Avenue and Tripoli Street in the City of Pittsburgh."

Which was read.

Mr. Cohen:

I'd like my comments on Bill Nos. 1963 and 1964 brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 1963 - Wednesday, 1/30/91)

Mr. Cohen:

Discussion. I am not going to get into the details of the case, because it looks to me like the case was well-handled. This involves a gentleman who was walking along a sidewalk on West Carson Street and fell through, literally through the sidewalk. What my concern is, is that it not happen again.

Mr. Spector, it seems to be a legal issue where there was some question of responsibility over maintenance of this sidewalk. Now my understanding is that legal issue is resolved; unfortunately for Mr. Jones here, it was resolved after he fell through the sidewalk.

Has the Law Department informed Public Works and anybody else necessary of their legal obligations to maintain sidewalks that are adjacent to Commonwealth highways?

Mr. Spector:

We have, and Public Works is taking some steps to not repair it, because it would be an extremely costly job and money is not now available, but they covered it with some sort of plate that they determined to be stable, so that somebody could not fall through again.

This is a ramp leading off West Carson Street, and it would just be a very costly job to actually get under there, repair the gurdurs and that sort of thing. But they have provided protection for the pedestrians.

Mr. Cohen:

Is it now safe?

Mr. Spector:

Yes, it is.

Mr. Cohen:

Have you asked Public Works or even the Law Department potentially to do a review of all sidewalks adjacent to highways? If we didn't know it was our responsibility to maintain these because of this case, then that must be true of all sidewalks that are adjacent to highways.

Do you know what the status is, or is that something I should ask Director Gaetano?

Mr. Spector:

You could ask him. I think the answer is Director Gaetano does know that. Normally, Public Works is responsive to that kind of thing. This one was somewhat different in the sense that it wasn't obvious to Public Works or anybody apparently that this was a city responsibility as opposed to either a Commonwealth responsibility or I think it is Pittsburgh & Lake Erie Railroad.

Unfortunately for Mr. Jones, as you point out, that issue wasn't determined until after his accident.

Mr. Cohen:

Who, then, should do a review to see whether there are other sidewalks in a similar position? It could be the Law Department probably in conjunction with Public Works.

Mr. Spector:

I would think that is right, E&C also. We have started that discussion.

Mr. Cohen:

That is a formal thing that is begun and you are going to do a real review of this? It is a lot of money.

Mr. Spector:

I don't know whether you would categorize it as formal or informal, but Public Works is aware of it. And I do want to emphasize that the city, in particular Public Works, has been long responsive to this kind of thing.

Mr. Cohen:

I am not questioning Public Works responsiveness, I am questioning whether they know it is their responsibility.

Mr. Spector:

They do know.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

(MR. COHEN'S COMMENTS ON BILL NO. 1964 - Wednesday, 1/30/91)

Mr. Cohen:

Discussion. Mr. Spector, I will be brief. There was an arbitration awarded in this case. Somebody fell into a pot hole, hurt their ankle. There is an arbitration award of \$7,500.00 and we are giving them \$16,500.00. If you could tell me what happened between the arbitration award and settlement.

Mr. Spector:

This is one of those unfortunate cases. The city appealed the \$7,500.00 arbitration award. And quite frankly, what happened was in the intervening time between the time of the appeal and the time that it actually reached the Common Pleas Court Trial List, the injuries substantially worsened.

Mr. Cohen:

The ankle?

Mr. Spector:

I can't recall all, I have a list of them here. That, plus the fact that we had an independent medical examination conducted of Mr. Bailey, which confirmed that there was the likelihood of permanent injury or permanent loss of a body function, is a more apt phrase. And under those circumstances, under the Political Subdivision Tort Claims Act, he could recover for pain and suffering.

Mr. Cohen:

You answered my next question, which was we didn't just rely on their doctor report on this deterioration of this injury? We had our own?

Mr. Spector:

Yes. We often do. In fact, in each of these three case we did.

Mr. Cohen:

Thank you.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 1965

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$8,300.00 to Lloyd Russell and Leslie Russel, his wife, c/o John P. Gismondi, Esquire, Gismondi & Margolis, Suite 606, Grant Building, Pittsburgh, PA 15219 in full settlement of a claim for personal injury, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1966

A Resolution entitled, "Resolution amending Resolution 170 of 1990 entitled, 'Resolution

authorizing an agreement or agreements with a collection agency or agencies for professional services in connection with the collection of delinquent taxes, fines, penalties and interest for the City of Pittsburgh at a cost not to exceed \$25,000, chargeable to and payable from Code Account 1063, Miscellaneous Services (106302) Department of Finance,' by increasing the total cost from twenty-five thousand dollars (\$25,000.00) to two hundred seventy-five thousand dollars (\$275,000.00)."

Which was read.

Also,

Bill No. 1967

A Resolution entitled, "Resolution electing to be within the field of operation of the Allegheny County Residential Finance Authority for the purpose of refinancing the Lemington Home for the Aged."

Which was read.

Also,

Bill No. 1968

A Resolution entitled, "Resolution granting unto Carl W. Dorow, of the City of Pittsburgh, an easement for a driveway for ingress and egress to a single-family dwelling and garage across property owned by the Three Taxing Bodies in the 26th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1969

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of

certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1970

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$12,500.00 in favor of Odell Minniefield Demolition Co., 228 Mansion Street, Pittsburgh, PA 15207 in payment of contract for demolition and removal of a 3 story brick commercial & dwelling located at 4829 Second Avenue, Ward 15, without previous authority of law and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1989

A Resolution entitled, "Resolution transferring the aggregate amount of one hundred fifteen thousand, seven hundred twenty five dollars (\$115,725.00) within various Department of Public Safety Code Accounts."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2119

Report of the Committee on Planning, Housing and Development for January 30, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1780

A Resolution entitled, "Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the Soldiers and Sailors Memorial Hall of Allegheny County, more particularly located at the corner of Bigelow Boulevard and Fifth Avenue, and including all of the property bounded by Bigelow Boulevard, Fifth Avenue, University Place, and O'Hara Street, designated as Block and Lot Number 27-R-78, and located in the Fourth Ward, City of Pittsburgh."

Which was read.

The Chair:

I would like my comments on Bill No. 1780 brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NO. 1780, WEDNESDAY,
1-30-91)

The Chair:

I'd like to add one note of appreciation to all of you, my colleagues, the Historic Review Commission, the Mayor's Office, Allegheny County and most especially the various veterans organizations that recommended this structure be designated as a historical structure, not only the building but also the property in front of it. I think by doing this, it eliminate a whole lot of controversy that the building will be changed or the grounds will be changed in the future and certainly at this stage in our history it's the right thing to do.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 1961

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$150,000 of developer private funds as the local matching share for a loan applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 1962

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance for a loan in an amount not to exceed \$150,000 to the Pennsylvania Department of Community Affairs for the development of Herr's Island, Redevelopment Area No. 45."

Which was read.

Mr. Ferlo:

In accordance with Section 322 of the Home Rule Charter, I move that Bill Nos. 1961 and 1962 become law upon the date of the signature of the Mayor.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 2120

Report of the Committee on General Services for January 30, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1954

A Resolution entitled, "Resolution amending Resolution No. 242, effective March 20, 1990, entitled 'Providing for the letting of a contract or contracts, or to exercise against existing contracts, for various energy conservation projects for the Department of General Services and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$112,886 from \$190,000 to \$77,114."

Which was read.

Also,

Bill No. 1956

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Minority Business Training Trust Fund, for the deposit of cash, checks and contributions from individuals or agencies attending City sponsored seminars and workshops relating to the enhancement of minority and women owned businesses participating in City contracts, and authorizing the use of funds deposited therein by the Department of General Services for any and all expenses associated with the costs of said workshops and seminars."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 2121

Report of the Committee on Public Safety for January 30, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1971

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Diocese of Greensburg, Saint Joseph's Hall for the lodging and subsistence surrounding the training of Police Recruits and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 2128 Communication from Mayor Masloff informing Council of the reappointment of John P. Robin, 220 North Dithridge Street, Pittsburgh, PA 15213 to the Urban Redevelopment Authority Board of the City of Pittsburgh for a term to expire December of 1995.

Which was read.

Also,

No. 2129 Communication from Mayor Masloff informing Council of the reappointment of David Epperson, 115 Murtland Street, Pittsburgh, PA 15208, to the Urban Redevelopment Authority Board of the City of Pittsburgh for a term to expire December of 1993.

Which was read.

Also,

No. 2130 Communication from Mayor Masloff informing Council of the reappointment of John Petrolas, 634 Smithfield Street, Pittsburgh, PA 15222, to the Public Parking Authority Board of the City of Pittsburgh for a term to expire May of 1992.

Which was read.

Also,

No. 2131 Communication from Mayor Masloff informing Council of the reappointment of David Matter, 501 Undercliff Road, Pittsburgh, PA 15206, to the Public Auditorium Authority Board of the City of Pittsburgh for a term to expire December of 1995.

Which was read.

Also,

No. 2132 Communication from Mayor Masloff informing Council of the appointment of Joseph Sabino Mistick, 1200 Beechwood Court, Pittsburgh, PA 15206, to the Public Auditorium Authority Board of the City of Pittsburgh for a term to expire December of 1996.

Which was read.

Also,

No. 2133 Communication from Mayor Masloff informing Council of the reappointment of Senator Eugene Scanlon, 1431 Termon Avenue, Pittsburgh, PA 15212, to the Stadium Authority Board of the City of Pittsburgh for a term to expire January of 1995.

Which was read.

Also,

No. 2134 Communication from Mayor Masloff informing Council of the appointment of Anthony Stagno, 6471 Stanton Avenue, Pittsburgh, PA 15206, to the Stadium Authority Board of the City of Pittsburgh for a term to expire January of 1994. Mr. Stagno is replacing Peter Mulloney.

Which was read.

Also,

No. 2135 Communication from Mayor Masloff informing Council of the appointment of James W. Turner, 6115 Grafton Street, Pittsburgh, PA 15206, to the Stadium Authority Board of the City of Pittsburgh for a term to expire January of 1996. James W. Turner will

replace George Jacoby.

Which was read.

Also,

No. 2136 Communication from Mayor Masloff informing Council of the appointment of Councilman Michael Coyne, Pittsburgh City Council, 510 City-County Building, Pittsburgh, PA 15219, to the Stadium Authority Board of the City of Pittsburgh for a term to expire January of 1993. Councilman Coyne is replacing Councilman Bernard Regan.

Which was read.

Also,

No. 2137 Communication from Mayor Masloff informing Council of the appointment of Frederick N. Frank, 33rd Floor, Gulf Tower, Pittsburgh, PA 15219, to the Public Parking Authority Board of the City of Pittsburgh for a term to expire May of 1994.

Which was read.

The Chair:

According to law, these appointments do not require Councilmatic confirmation. They are only introduced here to be part of the Record. All we need is a motion to receive and file.

Michelle Madoff:

So moved.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2138 Communication from Mayor Masloff informing Council of the appointment of Bernard J. Regan, Pittsburgh City Council, 510 City-County Building, Pittsburgh, PA 15219, to the Steel Valley Authority Board of the City of Pittsburgh for a term to expire January of 1995. Councilman Regan will replace Terry Woodcock.

Which was read.

The Chair:

Mr. Regan has chosen not to accept the appointment to the Steel Valley Authority.

Mr. Regan:

At this time I'd like to decline the appointment for the reasons that the bylaws state. This has nothing to do with the Steel Valley Authority. It's nothing personal. But in their bylaws they state that they do not want elected officials and I would have to abide by their wishes for the smooth and well being of that operation. I think they do a good job and I wish them well. It's nothing personal, but I decline the appointment.

Michelle Madoff:

I think it's incumbent upon the Administration to sit down with Mr. Regan and Mr. Regan to sit down with the Administration and get this little business behind us and perhaps find a suitable appointment for Mr. Regan.

The Chair:

Thank you.

Michelle Madoff:

On another matter. I'm sure that many of us, if not all of us, read in the papers that there was

a problem with the Parking Authority Bond and that there might be an additional charge that was not anticipated by \$825,000 to taxpayers.

I would respectfully request that we have a post agenda before this Council in the immediately future. And I understand that the Administration said they were going to look into it as well. Perhaps we should send a letter first of all to the Administration of intent to hold a post and what, if any, they have already discerned and what information they would like to share with Council. I think it's important that it's not us against them; it's a matter of fact-finding and what we can do to make things better in the future.

Mr. Regan:

Mr. President, a lot of times I disagree and vote against my pal, Michelle, but I want you to know that from here on in I second all the motions since all my colleagues are gone.

The Chair:

I have one short announcement to make. It's something that Council passed last year.

The City Treasurer's Office on the First Floor of the City County Building will be open this coming Saturday and Sunday, February 9th

and 10th, from 9:00 a.m. to 3:00 p.m. so that property owners can take advantage of the two percent discount period which expires on February 10th for paying property taxes.

So, I thought it was important that we mention that in the event anyone wants to take advantage of that discount.

Michelle Madoff:

If you're listening, please show up and give us the money.

Mr. President, I would just like to comment. My concern about the Housing Authority is not the \$825,000. But if we have to refinance, we're talking about another \$2.5 million. I think it's very important that we deal with that expeditiously.

Mr. Ricciardi moved to approve the Minutes of Tuesday, January 29, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ricciardi**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, February 12, 1991

No. 7

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, February 12, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

I'd like to ask from the Board of Directors from the Alma Illery Center to come forward, Mrs. Artegious Moncrief.

Mr. Darkins presents

No. 2158 WHEREAS, it was recognized that there was a need for accessible and affordable health care for residents of Homewood-Brushton and East Liberty; and

WHEREAS, as a result of this vision, in 1967 the Homewood-Brushton Neighborhood Health Center was founded, and in 1978 the Center's name was changed to the Alma Illery Medical Center in honor of the late honorary Doctor Alma Illery; and

WHEREAS, throughout the years, Alma Illery Medical Center has remained a community medical facility, while expanding its services to seven additional communities within the City of Pittsburgh and Allegheny County; and

WHEREAS, the Center is a comprehensive medical center providing medical and dental services, family planning, x-ray and laboratory services, patient health education, and a triage unit that handles emergencies; and

WHEREAS, Alma Illery Medical Center performs its services with state of the art equipment, a professional and support staff that is dedicated to providing competent medical care that meets the diverse needs of its patients and the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends to the Center's Executive Director Wilford Payne and its Board of Directors congratulations for its commitment to provide the highest health care for residents of the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mrs. Illery whom I have known in my lifetime and the center was named after, and the reason for it being named was because she had made such a great contribution to this life, and being that we are honoring these people of various organizations because this is Black History Month not only in the City of Pittsburgh but throughout the world.

One of their boardmembers, Mr. Payne, could not be with us today, but one of their boardmembers have come and that in the person of Mrs. Antegious Moncrief to receive this resolution.

Mrs. Moncrief:

Thank you, Councilman Darkins, and not only Councilman Darkins but I would like to thank all of the Members of City Council who not only have supported the board but Camp Achievement whereas Alma Illery, the name is

named after Alma Illery. I felt it is so kind of you that you chose Wilford Payne to be one of the outstanding Black citizens of our City.

Wilford Payne, as Councilman Darkins said already, he could not be here. But I'm here to let you know he's one of the finest Black Americans, African-Americans that we have in our City. And I want to thank you for choosing this young man, giving him this proclamation because he is worthy. He has done, and is doing a very good job, and we are proud of him.

And may I say to you, may the Lord bless you and you have very good taste of choosing your citizens. Thank you very much.

Mr. Darkins:

Mrs. Moncrief, I'd like for you to have today this Valentine. Such sweet women like you. This is a chocolate red rose. Happy Valentine's Day.

We would like Mrs. Gloria Inez Briskey to come forward.

Mr. Darkins presents

No. 2159 WHEREAS, the elegant voice of Gloria Inez Briskey is recognized throughout Western Pennsylvania as the number one gospel radio announcer; and

WHEREAS, Gloria Inez Briskey's broadcasting career began in 1966 with Radio Station WAMO becoming the second woman in Pittsburgh to play gospel music; and

WHEREAS, as the demand for gospel music increased, Ms. Briskey's responsibilities expanded to Religious Director for WAMO AM/FM, presenting gospel music full time; and

WHEREAS, in 1981 Gloria Inez Briskey

left WAMO to become Station Administrator for Gospel Radio Station WJLY; and

WHEREAS, Gloria Inez Briskey has been honored by many for her contributions to keeping alive African American Gospel Music.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Gloria Inez Briskey for the many hours she has dedicated to keeping alive a culture that is a significant part of the African American Heritage.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mrs. Briskey:

I'd like to say thank you to Councilman Darkins and to everyone responsible. If I can help somebody along this way, my living will not be in vain. Thank you.

Mr. Darkins:

It's Valentine's time, Gloria, and I'd like to present a red chocolate rose to you.

Would Mrs. Willa Mae Rice please come forward?

Mr. Darkins presents

No. 2160 WHEREAS, Willa Mae Rice is known throughout the world for her dedication to improve the way of life for all mankind; and

WHEREAS, Willa Mae Rice served as President for over 700,000 AME Zion Missionary Women in the world; and

WHEREAS, Willa Mae Rice was the first Black woman from America to be elected Secretary of the World Federation of Methodist Women; and

WHEREAS, Willa Mae Rice was invited by President Carter to give input on the urban crisis; and

WHEREAS, Willa Mae Rice enjoyed a thirty-year career with the Pittsburgh Courier as Local and National Church News Editor, retiring in 1978; and

WHEREAS, Willa Mae Rice has held many leadership roles throughout the City of Pittsburgh and has served on national and local boards, and in 1961 she traveled to Oslo, Norway serving as a Delegate for the World Methodist Conference and as a Member of the World Press Team; and

WHEREAS, Willa Mae Rice represents the African American community respectfully with grace, determination and pride.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Willa Mae Rice as a pioneer in defining a direction for all African Americans to follow; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh wishes Willa Mae Rice continued success in all her future endeavors.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mrs. Rice:

I certainly want to express my gratitude to Councilman Darkins and to all Members of Council, particularly Councilman Eugene Ricciardi. He and I work together on the Planning Board in the County Planning Department and I feel a very close relationship to Eugene. He has been a remarkable person. I know him a little better than I know many of you but, of course, Reverend Darkins I've known for years. I've watched him grow and admired him for his achievements.

I want to thank you. I'm just one of many who are struggling and by the grace of God achieving because every good and perfect gift comes from him and I'm grateful for this recognition, for this day, not just for Willa Mae Rice but for many people for whom it has been my privilege to serve, and with whom it has been my privilege to serve.

Six million women in 66 countries of the world of the World Federation of Methodist Women and I've been propelled by service in the Church to have served in 7 countries in the world, so thank you, and thank God.

Mr. Ricciardi:

Mr. President, I do apologize for the interruption. I just want to say that I personally have been blessed to know Willa Mae Rice for over a decade. She has been an outstanding model and example to all who have touched her. Personally, she has been one of the spiritual advisors and leaders for myself and we've been very honored to have Willa Mae Rice with us today and I'd like to thank her. It's nice seeing you again, Willa.

Mr. Darkins presents

No. 2161 WHEREAS, because there was not a group to represent and support African American women who desired to serve in elected

positions, Cathy Irvis convened a group of 25 women to formally organize the Black Women's Political Crusade; and

WHEREAS, the Black Women's Political Crusade goals and objectives are to support, encourage and develop women who seek to be elected and appointed to political office throughout the State of Pennsylvania; and

WHEREAS, the Black Women's Political Crusade serves to demonstrate that the political arena is available to women who desire to be a part of the decision making process; and

WHEREAS, the Black Women's Political Crusade was organized 12 years ago and has successfully carried out their goals of positioning women in places that directly represent the political and human resource process.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Black Women's Political Crusade for capturing a vision that encourages Black women to pursue participation in the political arena and extends to the original executive convenors: Cathy Irvis, Grace Ware, and Katie Everett-Johnson accolades for being the beam that created the Black Women's Political Crusade; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Constance Parker and Emily Davis for their leadership and determination to maintain the Black Women's Political Crusade as an organization that serves to carry out the Crusade's worthwhile mission.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

You know, it's nice to see a cameraman from the North Side reading a newspaper. That shows you what a great country we live in, a TV guy reading the newspaper.

I have a resolution to read here this morning, and I would like Director Glenn Cannon, Chief Mayer DeRoy, Commander Moffatt, Chief Dickerson, Commander Patterson, Assistant Chief Kolenda, and Commander Mitchell to please come up with all the folks that have people serving in the war over there in Operation Desert Shield. Would you all please come up?

I was corrected. Desert Storm. That's why you're the Chief Clerk, Mr. Perry.

I'm reading this on behalf of all Councilmembers. We are urging all residents of our great City to pray for these brave heroes and ask for their safe return to their loved ones.

Mr. Regan presents

No. 2162 WHEREAS, valiant citizens of the City of Pittsburgh are risking their lives in the Persian Gulf; and

WHEREAS, these brave men and women have left their homes and families to protect our nation and the world from Saddam Hussein and his despotic attempts to enslave the Arab world; and

WHEREAS, Members of City Council are proud of these gallant people in their mission to fight for the protection of the world; and

WHEREAS, Members of City Council are proud of its employees presently serving in

Operation Desert Storm whose names are: Police Officers, Edmond Gaudelli, Christopher Sims, Charles Bates, Joseph Tersak, Richard Reilly, Charles Johnson, Eric Schueler, Daniel Bonenberger and Edward Fitzgerald; also, Firemen Joseph A. Dugan and John Segriff; and EMS Medic Thomas Szymanski.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Council of the City of Pittsburgh urge all residents of our great City to pray for these brave heroes and ask for their safe return to their loved ones. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

I'd like Chief DeRoy to come up please, the finest Chief of Police in the United States.

Chief DeRoy:

Baldy, thank you. I'm both proud and pleased to be here this morning, ladies and gentlemen, for this resolution. I'm proud of the nine people that are serving from the Bureau of Police. And, of course, I'm proud of all the rest of the City employees that work with us. And anyone, as a matter of fact, at this point that is serving in Desert Storm.

I'm glad that Council in their wisdom have sought to support this resolution. I was thinking back a few years when I was on the street and we had a lot of Vietnam problems. I don't believe at that time Council passed any resolutions supporting those members.

I'm glad to see that the public and the

atmosphere and, of course, your elected officials are now supporting those people that are many thousands of miles away trying to do a job and hopefully it will be over soon and they will be home. I want to thank you very much.

Mr. Regan:

Director Cannon. It's not every day you get a Director up this early in the morning.

Director Cannon:

Thank you, Councilman. I wanted to read the names of the people who are with us today before I made some comments. Mary Kay is representing Ed Fitzgerald. Jan and Don Schueler are representing their son, Eric. Mildred Boyd, one of our officers is representing Charles Johnson. Angela Sims is representing her son, Christopher Sims. And Judy Tersak is representing her husband, Joe.

Echoing sort of what Chief DeRoy said that maybe finally one of the lessons that has come out of Vietnam is that we've learned to separate war from the warriors. It took us a long time, it seems, to come to that point, but it has finally been reached.

I normally don't make notes when I speak but I wanted this to not be a flippant kind of a thing. I thought about the words that I had been hearing recently, pride, dignity and courage, anytime you hear a newscast or sound bites that are on TV every night. But they're just words until they become personified by someone and some people as we have with us today. We hear those words all the time. These people live those words and they live them out of the glare of lights and Council Chambers and newspapers. In quiet times of loneliness when they have to draw upon that pride and dignity and courage to persevere until their loved ones return.

The Mayor and City Council and all the departments of this City support you and your families during this time, and we pray for the safe return of all our men and women as quickly as possible.

Personally, it is my own fervent hope that the Lord will hold each and every one of them, those here and there, in the hollow of his hand until you can all be together again. Thank you and God bless you all.

Chief Dickinson:

This is one of the most important guests. Cathy Dugan who is on my left here, her husband left somewhere in late November. He is a member of the Fire Bureau for several years. I was used to looking at Joe across the table in meetings concerning issues with the Fire Bureau. And last year Desert Shield became a word that we really didn't know what it meant. We knew it was serious. And suddenly Desert Storm put a whole different connotation on it.

One of the things that I learned quickly was wondering how that would affect my personal life. Of course, like all of us as American citizens wonder. But then how would it affect my professional life? And I found out very shortly that it would affect our Bureau. Two people have stepped forward in our Bureau and have been re-entered into the service; John Segriff who is out at the Air National Guard right now. And Cathy Dugan's husband, Joe, who is a Vietnam Veteran, has now been returned to the First Marines, the Second MPs, and is currently in Saudi Arabia and their positioned there as a Marine MP because they're now handling prisoners of war.

One of the most difficult phone calls I've ever made because I personally didn't know Cathy was that phone call about a month ago to make contact. Suddenly, it's amazing how we

find room in our hearts for people that we don't know but suddenly become very important to you.

Perhaps as a token of everyone that I meet, that I work with from day to day, really wants to do something. And part of our frustration, perhaps what flags are about and yellow ribbons is that very sense that people want to participate somehow, not to make a stand whether it's right or wrong, but support our people who are there.

And I would like, if Council will bear with me, to allow Cathy to say a few words for us in the Fire Bureau.

Mrs. Dugan:

I just want to thank you all very much for recognizing us. It's a difficult time for everybody. I really, sincerely appreciate, both Joe and I, and I'm sure the other families here, appreciate the support that the City of Pittsburgh has shown to us and, in particular, the Members here of City Council. Thank you all very much.

The Chair:

Thank you, Councilman Regan, for presenting the resolution. And thank you all for attending.

As you know, Council unanimously supported a resolution last year in support of all our people serving in the Middle East and we hope and pray for their safe return. Thank you.

Mr. Ricciardi:

I would like to ask one of our dedicated teachers of South Vo-Tech, Yvette Goettler, and our honorees today to please step forward.

We have with us today Steve Cansler,

Robert Jones, Stacy Kline, Corie Kokocinski, Chris Lindsey. Thank you.

Mr. Ricciardi presents

No. 2163 WHEREAS, South Vocational Technical High School DECA Chapter has earned recognition for its efforts to promote sober driving awareness; and

WHEREAS, DECA, Distributive Education Clubs of America, is a student vocational organization which prepares future leaders in marketing, management and distribution careers; and

WHEREAS, student leaders chairing this promotional campaign include Lisa Brentley, Steve Cansler, Steve Cooney, Robert Jones, Stacy Kline, Corie Kokocinski, Chris Lindsey, Gary Pinnick, Brian Ruposky, Angela Ubrey, Anthony Williams and Valerie Winer; and

WHEREAS, South Vo-Tech DECA has launched a five-month campaign promoting Students Against Drunk Driving. This civic consciousness project has been initiated to educate the public about the serious problem of drunk driving. Activities include a S.A.D.D. Awareness Booth, a Fashion Show fundraiser, S.A.D.D. contracts between students and parents, S.A.D.D. membership drive, leadership training workshops, Ninja Turtles Teach Safety Skit featuring popular cartoon characters, and an alcohol-awareness game show. The message was promoted to high school, middle and elementary students in the South Side community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh heartily commends South Vo-Tech DECA Chapter for its S.A.D.D. awareness campaign and proudly notes that the club has addressed important community needs and offers

best wishes for its continued exemplary community involvement.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you very much, and I'm sorry, Corie, for the mix up on your last name.

I would just like to congratulate this future group of leaders for their strength, their courage and their conviction number one, not to fall to peer pressure, and number two, not to be fooled by glamorized television shows that deal with illicit drugs, tobacco and alcohol. I think they're a fine example to all segments of the community, but especially to us as elected officials.

I'd like to now ask Robert Jones to please step forward and introduce all of your friends and say a few words, please.

Robert Jones:

Good morning. My name is Robert Jones. These are a few of my fellow students: Steve Cansler, Chris Lindsey, Brian Ruposky, Corie Kokocinski, Stacy Kline, and our teacher, Mrs. Yvette Goettler.

We would just like to thank all of you for your time and this recognition. We indeed have tried our best and work very hard to become aware of the problems that indeed face all of the youths today in society. All of us have worked very hard in becoming and making others aware of the problem and trying to have them avoid the hurt and the pain of getting involved with these sort of things and the hurt and the pain that goes

along with the parents and the family members.

So, once again, we'd just like to thank you for this recognition and resolution indeed once more just recognizes the strength of the City schools in Pittsburgh and the fine teacher we have in Ms. Yvette Goettler. Thank you.

The Chair:

Thank you all for coming.

Mr. Darkins presented

No. 2139 Resolution providing for the issuance of a warrant in favor of Mr. Jeffrey Thomas, 127 Richey Avenue, Pittsburgh, PA 15214, in the amount of \$1,000.00, in payment for professional services rendered to Councilman Duane A. Darkins for the month of January, 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, District #9, City Council.
—(SPONSORED BY MR. DARKINS)

Which was read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 2140 Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for administrative support in operating the "Commission on Families" program at a cost not to exceed \$27,000.00.

Also,

No. 2141 Resolution amending Resolution No. 448, eff. June 16, 1988 as amended by Resolution No. 627 eff. August 2, 1989, and Res. Nos. 132 and 1184 of 1990, entitled "Resolution providing for the filing of a Community Development statement by the City

of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 CDBG Program," so as to reprogram funds in City Council.

Also,

No. 2142 Resolution amending Section 10 of Res. No. 1181 eff. December 26, 1986, as amended by Res. No. 198 eff. March 13, 1987; Res. No. 384, eff. July 27, 1987; Res. No. 758 and 1065 of 1987; Res. No. 317 of 1988; Res. No. 328 of 1989; Res. Nos. 134 and 1183 of 1990, entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Dept. of Housing and Urban Development for a grant in connection with the 1987 CDBG Program", so as to reprogram funds in City Council. This Resolution amends the 1987 CDBG/Capital Budget, by reducing line item "City Council - Pittsburgh Community Services, Inc." (CC-87-08), from \$240,000 to \$229,925 (- \$10,075); and creating a new line item, "Commission on Families" (+ \$7,080.35). These funds represent a portion of the overall funding package for the "Commission on Families" totalling \$27,000.00.

Also,

No. 2143 Resolution approving a Conditional Use Exception under Section 993.01(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to the Pittsburgh Board of Public Education for authorization to construct an addition and renovate the existing Frick Academy school building located at 107 Thackeray Street. The addition consists of a two-story structure with a gymnasium and ten classrooms for a total of 34,000 square feet, on property zoned "I-C" Institutional-Civic District, 4th Ward, Council District #8).

Which were severally read and referred to the Committee on Planning, Housing and

Development.

Mr. Millones presented

No. 2144 Resolution authorizing the incurring of nonelectoral debt service for the purpose of providing funds for Capital Projects, by the issuance of General Obligation Notes, in the aggregate principal amount of \$30,000.00; accepting a proposal for the purchase of the notes; finding a sale by negotiation to be in the best financial interest of the City; providing the maturity, interest rate and redemption features; covenanting to pay debt service; pledging full faith, credit and taxing power for the payment of the notes; appointing a paying agent, registrar and sinking fund depository; establishing a sinking fund; appropriating the note procedures; ratifying prior advertisement and directing further advertisement; authorizing the payment of expenses; ratifying the preliminary official statement; authorizing approval of the final official statement; adopting a form of note; and repealing inconsistent resolutions.

Also,

No. 2145 Resolution amending Res. No. 749 of 1989 entitled, "Providing for the filing of an application or applications by the City of Pgh. with the Commonwealth of Pennsylvania for a grant or grants in connection with the Urban Youth Service Corps Grants; providing for the execution of Grant contracts and for the filing of requisitions and other data; and providing for the deposit of funds into a bank account" by increasing the amount available for subcontractor agreements by \$136,521.00. Total costs shall not exceed \$264,021.00, payable from the JTPA-1 Trust Fund.

Which were read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by

providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2146 Resolution providing for the issuance of a \$1,845.00 warrant in favor of Stephen B. Spolar and Jody Buchheit Spolar in settlement of claim for sidewalk damage at 6500 Bartlett Street, payable from Code Account No. 46, Judgments. The sidewalk is was cracked and raised due to the growth of the roots of City trees.

Also,

No. 2147 Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller in an amount not to exceed \$65,000.00, chargeable to and payable from Code Account 1048, Misc. Services, Dept. of City Controller.

Also,

No. 2148 Resolution amending Res. No. 556 of 1990 entitled: "Resolution providing for an Agreement or Agreements with an actuarial firm to provide actuarial services for the City of Pittsburgh for a period of three years and providing for the payment of the cost thereof subject to annual budget appropriations", by adding a reimbursement provision so that the City can be reimbursed by the Comprehension Municipal Pension Trust Fund for actuarial costs relating to pensions.

Also,

No. 2149 Resolution Repealing Res. No. 1068, Item A, eff. October 22, 1990, which authorized the sale of 2-3 story, frame houses and store on a 48' x 102.5' lot, in the 12th Ward, located at 403-403-1/2 Larimer Avenue, designated as Block 124 J, Lot 252, to Leon Octave, for the sum of \$4,500.00. The reason for the above repealing resolution is that a prior sale to Douglas Joseph, dated January 12, 1990, was initiated.

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 2150 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 6927 Perrysville Avenue, Pittsburgh, PA 15202-1825, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of February, 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, District #3, City Council.
---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2151 Resolution providing for the creation of a special trust fund to be known as the City Clerk's Vending Trust Fund (CCVTF) for the deposit of funds to be used for the purchase of miscellaneous items. --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presents

No. 2051 Resolution appointing Gene Baynes, 65 Riverview Avenue, Pittsburgh, PA 15214, to the Human Relations Commission of the City of Pittsburgh for a term to expire August of 1993. Mr. Baynes will replace Edward H. Wilson.

Which was read.

Also,

No. 2055 Resolution appointing C. Lu Conser, 834 Beech Avenue, Pittsburgh, PA 15233, to the Human Relations Commission of the City of Pittsburgh for a term to expire July of 1994. C. Lu Conser will replace March Bingler.

Which was read.

Mr. Ricciardi moved to approve the appointments.

Mr. Darkins seconded the motion.

Mr. Regan:

I'm going to abstain, and it's nothing personal. I think they're well qualified and I'm sure they'll do a good job.

The Chair:

Is there any discussion on the appointments?

And on the question, "Shall the appointments pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins

Mr. Milliones
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES 1

(MR. FERLO VOTING NO)

(MR. REGAN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointments of Mr. Baynes and Mr. Conser were approved.

Also,

No. 2040 Resolution appointing Stephen M. Shortley, 3709 Atkins Street, Pittsburgh, PA 15212, to the Allegheny County Sanitary Authority Board of the City of Pittsburgh for a term to expire January of 1966.

Which was read.

Mr. Ricciardi moved to approve the appointment.

Mr. Darkins seconded the motion.

Mr. Ferlo:

Mr. President, I just want to thank the Mayor. She has really put to rest a long-standing problem and that is the lack of meaningful community representation on the Alcosan Board.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Shortley was approved.

Also,

No. 2045 Resolution appointing Reverend Jason A. Barr, 22225 Bedford Avenue, Pittsburgh, PA 15219, to the Planning Commission of the City of Pittsburgh for a term to expire January of 1996. Reverend Barr will replace Regis Bobonis.

Which was read.

Mr. Milliones moved to approve the appointment.

Mr. Coyne seconded the motion.

Mr. Ricciardi:

Discussion. I must first commend Reverend Barr for his many activities and volunteer work he has done in the field of human services and I think that record is probably unmatched. I would like to keep in mind, though, that the nomination is not for a human service agency but it's really for the Planning Commission, the Planning Commission that deals with development in the area and economic development.

I was sort of concerned that the nominee has only been in the City of Pittsburgh for less than three years, and I just believe that we should look towards the talent of our own community based organizations such as the working group on community development. I think they would bring a different perspective, a community perspective, to important policy decisions.

As I know the Planning Commission, we deal with them rather frequently, we interact with them, and when there's a disagreement on legislation it takes seven votes to pass.

So, I respectfully will be voting no on this appointment.

Mr. Regan:

I am going to abstain and it's nothing personal. I'm sure he's well qualified and I'm sure he'll do a good job.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ferlo
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Wagner

AYES 6 NOES 1

(MR. RICCIARDI VOTING NO)

(MR. REGAN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointment of Reverend Barr was approved.

Also,

No. 2044 Resolution appointing Dominic Frasca, 1126 North Highland Avenue, Pittsburgh, PA 15206, as a City Magistrate for a term effective upon the filing of the required certificate with the Clerk of the Court of Common Pleas of Allegheny County, and to expire January of 1992.

Which was read.

The Chair:

Members of Council, I would ask for a motion to table. Mr. Frasca contacted me early this morning and asked that his name be withdraw as a City Magistrate.

Mr. Milliones:

So moved.

Mr. Coyne seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2152

Report of the Committee on Finance for February 6, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1988

A Resolution entitled, "Resolution Repealing Resolution No. 552, Item B, effective July 10, 1989, which authorized the sale of property in the 4th Ward, being a vacant lot containing 20' x avg. 117', located at 2205 Forbes Avenue, designated as Block 11 L, Lot 162, to Allen R. Gochmour, for the sum of \$1,500.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1990

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Neighborfair Inc. in the amount of Ten Thousand Dollars

(\$10,000.00), in payment for services furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1991

A Resolution entitled, "Resolution transferring the amount of \$403,414.00 from Code Account 1843, (184309), Senior Citizens Program to Code Account Senior Citizens Trust Fund SCPTF, (254250), in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi

AYES 8 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2153

Report of the Committee on Public Works for February 6, 1991 transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1593

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title VI, Conduct, Article III, Dogs and Other Animals, Chapter 631, Animal Bites, Section 631.02 Quarantine of Biting Animal by including the words 'the owner will be responsible to ensure' and by adding a new 631.03, Penalty and

Violation."

—(SPONSORED BY MR. WAGNER)
(AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1594

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title VI, Conduct, Article III, Dogs and Other Animals, Chapter 635, Other Animals and Fowl, by changing Section 635.03 - Number of Pets Permitted in the City Limits, adding Section 635.04 - Litter Registration; Limits; Exceptions, and changing Section 635.15 - Violation and Penalty."

—(SPONSORED BY MR. WAGNER)
(AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

On Bill No. 1594 which is one of the three animal control bills. I would like Mr. Perry to please read just the amendment portion.

Mr. Perry:

"Amending Bill No. 1594, Section 1, Chapter 635, Other Animals and Fowl.

635.03 Number of Pets Permitted in the City Limits; Exceptions

Delete 'licensed pets' and insert 'dogs, cats or any combination thereof' and delete 'pet' and insert 'dogs and cats'.

The amended portion of the bill should read as follows:

This section shall not affect any person or residence whose number of dogs, cats or any combination thereof exceeds the limit of five (5) prior to the effective date of this amended ordinance and upon elimination of dogs or cats by adoption, death or any permanent removal from that person or residence, owners exceeding the limit of five (5) are not permitted to obtain additional dogs or cats. This section shall not affect any person or residence that has been granted an exemption permit by the City of Pittsburgh Animal Control Department. This permit shall be granted at the sole discretion of the Animal Control Department to those persons or residences that provide temporary foster care and do placement work. There shall be no fee for the exemption permit. However, at no time shall the number of dogs, cats or combination thereof exceed ten (10) being owned, harbored or maintained by the person or residence granted an exemption permit.

Also, amend Chapter 635.04 Litter Registration; Limits; Exceptions

Delete 'five (5) days' and insert 'ten (10) working days'."

Mr. Ferlo moved to approve the amendment.

Mr. Coyne seconded the motion.

The Chair:

Just a brief explanation. There were four recommendations made by various individuals and groups since last Wednesday's meeting. These are two of the four recommendations. The first is simply cleaning up the language of the bill and the second is extending the time frame for litter registration from five days to ten days.

Is there any discussion on the amendments? All in favor? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

On the specific animal ordinance bills, there were some people in the audience today who had some concerns that were oversights, I thought. Did you meet with them and discuss those oversights?

The Chair:

Yes.

Michelle Madoff:

Was it resolved?

The Chair:

Well, two of the amendments were a result of those oversights. There was one we did not consider and one I'm going to recommend in the form of the creation of a committee.

I'd just like to say in regard to the three bills, I'd like to thank everyone that has contributed to the creation and amendments of these three bills, particularly the people in Brookline, that brought some deficiencies in our Code to my attention, certainly the animal rights people, and all Members of Council.

It has been requested that a committee be set up, an animal control committee, to evaluate existing legislation on the book. And as President of Council, I intend to appoint a committee. I would ask any Member of Council that would like to serve on that committee to please let me know. The committee will be short in terms of time frame, we're looking at approximately three months, to evaluate existing ordinances and for that committee to make any further recommendations back to this Council.

Also,

Bill No. 1595

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title VI, Conduct, Article III, Dogs and Other Animals, Chapter 633, Dogs." --(SPONSORED BY MR. WAGNER)
(AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2060

A Resolution entitled, "Resolution amending Resolution No. 993, effective October 4, 1990, entitled, 'Providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a Selectron Truck Scale Ticketing and Data Base System with Multi-User Capability for the Asphalt Division; and providing for the payment of the cost thereof,' by increasing the total allocation by \$2,043.00."

Which was read.

Also,

Bill No. 2061

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2062

A Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh for public use, certain property of Sarah S. Young known as Hayson Avenue (63-B-156) in the 20th Ward, 17th District, in the City of Pittsburgh."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2154

Report of the Committee on Planning, Housing and Development for February 6, 1991 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1695

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12, by changing: From 'I-C' Institutional-Civic District to 'C4' Commercial District, all that certain property bounded by: FORBES AVENUE; CRAFT AVENUE; FIFTH AVENUE; and the 'C4' Zoning District boundary line located between HALKET STREET and CRAFT AVENUE, 4th Ward."

Which was read.

Also,

Bill No. 1985

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Stewart B. McKinney Homeless Assistance Act of 1987 - Emergency Shelter Grants Program; and providing for the execution of grant contracts and for the filing of other data; providing for required assurances; providing for execution of contract(s) with nonprofit organization(s); creating a special trust fund in connection with the project; providing for the deposit of the funds in the appropriate account."

Which was read.

Also,

Bill No. 1986

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Consultant or

Consultants or Contract or Contracts, or use of existing Contracts for payment of services and expenditures for the implementation of the 'Map Updating and Land Records Management Program' at a cost not to exceed \$150,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 2155

Report of the Committee on General Services for February 6, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1984

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts and/or an Agreement or Agreements or for the use of existing Contract(s) or Agreement(s) for the purchase of two-way portable radio accessories for the Public Safety Department, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 2156

Report of the Committee on Parks and Recreation for February 6, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1992

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Afro American Heritage Parade Association, Inc., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Five Hundred (\$1,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1993

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Arsenal Board of Trade for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1994

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed

Eleven Thousand (\$11,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1995

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield Youth Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand Five Hundred (\$1,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1996

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Brashear Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Fifteen Thousand (\$15,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1997

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Champions Association Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand Five Hundred (\$3,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1998

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the George 'Dew' Brown Basketball and Girls Club League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Two Thousand (\$2,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1999

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Boys and Girls Club of Western Pa., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable

to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2000

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the City Theatre Inc., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Eight Thousand (\$8,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2001

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bidwell Education, Music and Recreation Center for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2002

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Robert Morris College for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2003

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Sharing and Caring for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of

the cost thereof not to exceed Seven Thousand (\$7,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2004

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Sheraden Youth Center Committee for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand Five Hundred (\$3,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services,

Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2005

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Spring View Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Four Thousand Two Hundred Sixty Six (\$4,266.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2006

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Washington Heights Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Seven Thousand Five Hundred (\$7,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2007

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Sixteen Thousand (\$16,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2008

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Center for the Arts for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2009

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Wildcats for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2010

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Summer Basketball League for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2011

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Dance Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Four Thousand (\$4,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2012

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Trust for Cultural Resources for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Seven Thousand Five Hundred (\$7,500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Ricciardi

AYES 7

NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 2013

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Highland
Park Community Club for the furnishing of
professional services for the benefit of the
residents of the City of Pittsburgh; and providing
for the payment of the cost thereof not to exceed
Five Thousand (\$5,000.00) Dollars, chargeable
to and payable from Code Account 1838
(183806) Miscellaneous Services, Recreation, in
the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2014

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Homewood
Brushton Baseball Association for the furnishing
of professional services for the benefit of the
residents of the City of Pittsburgh; and providing
for the payment of the cost thereof not to exceed
Three Thousand (\$3,000.00) Dollars, chargeable
to and payable from Code Account 1838
(183806) Miscellaneous Services, Recreation, in
the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2016

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with the
Homewood Art Museum for the furnishing of
professional services for the benefit of the
residents of the City of Pittsburgh; and providing
for the payment of the cost thereof not to exceed
One Thousand (\$1,000.00) Dollars, chargeable
to and payable from Code Account 1838
(183806) Miscellaneous Services, Recreation, in
the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2017

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with the Greater
North Side Athletic Association for the
furnishing of professional services for the benefit
of the residents of the City of Pittsburgh; and
providing for the payment of the cost thereof not
to exceed Three Thousand Five Hundred
(\$3,500.00) Dollars, chargeable to and payable
from Code Account 1838 (183806)
Miscellaneous Services, Recreation, in the
Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2018

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with the Uptown
Little League for the furnishing of professional
services for the benefit of the residents of the City
of Pittsburgh; and providing for the payment of

the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No 2019

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Homewood Brushton Stingers Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Four Thousand (\$4,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2020

A Resolution entitled, "Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street at a yearly rental cost not to exceed Nine Thousand (\$9,000.00) Dollars, payable from Code Account 1801, Miscellaneous Services, Index Code 180109, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2021

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreement for the use of certain property for Senior Citizen Center Facilities in an amount not to exceed \$225,414.00 chargeable to and payable from (SCPTF), (254250), Senior Citizen Program Trust Fund."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 2021. This is the annual arrangement to help pay for the leases for the various senior centers. Most of these senior centers are located in churches or the property of small business owners, and each year, unfortunately, they have to wait several months before they receive payment from the City.

So, upon approving this today, I hope that we could make it effective upon the signature of

the Mayor. I make that as a motion.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 2157

Report of the Committee on Public Safety for February 6, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1714

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Tow Pound Trust Fund, for deposit of fees collected for towing, storing and immobilizing vehicles, and authorizing the use of the fees deposited therein by the Bureau of Administration, Department of Public Safety to be used to pay invoices and any and all expenses related to the City Tow Pound operation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Regan:

Mr. President, I have something I would like to read to you and my colleagues, or two of my colleagues including you.

"I am voting against the Mayor's

nomination for the newly created position of arraignment magistrate in City Court. My vote is not directed toward this magistrate's appointment, or his qualifications to serve in that position. It is targeted against the entire concept of the City Court system itself.

During the debate that has surrounded this new appointment, nothing has been said that convinced me that an arraignment magistrate is necessary in City Court. Presiding at arraignments is but one of the duties that are required of all magistrates, whether they are appointed by the Mayor to sit in City Court or elected by the voters to preside in the district court or elected by the voters to preside in the district courts established by the Pennsylvania Constitution. The addition of a new magistrate to the City Court bench would cost the taxpayers of the City an additional \$43,000 in salary and fringe benefits. This is a needless expense, and for that reason alone I am compelled to vote against the nomination.

The controversy that this nomination has created has caused me to open my eyes to a problem far more expensive and complex than the Administration's attempt to create this new position. I must seriously question whether the City and its taxpayers are required to shoulder the annual financial burden that results from the mere existence of City Court, which for the purpose of these remarks includes both Traffic Court and Housing Court.

The institution that we call City Court was created back in the days when the minor judiciary in this Commonwealth consisted primarily of fee-paid alderman and justices of the peace. These persons, as well as their officers and staffs, were compensated almost entirely through court costs that were collected from persons who appeared before them. Back then, City Court may well have been a viable institution because it provided salaried judicial

officers who were appointed and presumably insulated from the politics that surrounded the election of the minor judiciary.

Since 1970 the old fee paid "squires" have been replaced by elected district justices. These individuals are elected by the voters in the district in which they serve. They must either be licensed attorneys, or they must attend classes and pass an examinaion supervised by the Supreme Court of Pennsylvania before they can perform their duties. At present, we have 17 district justices who preside in courtrooms within the City of Pittsburgh.

These 17 elected district justices have even broader powers than do the magistrates who are appointed to serve in City Court. They are legally entitled to, and in fact do, perform all of the functions now being done by the appointed City Court Magistrates. There is one big difference -- the 17 elected district justices are paid by the Commonwealth, as are all judicial officers except those in this City who serve in City Court. And even more importantly, their quarters, including offices, courtrooms and equipment, and their secretaries and clerks are paid with County funds.

In every other county of this Commonwealth, elected district justices provide the same services that we now receive from our City Court magistrates at no additional costs to the residents of the municipalities which elected them. I must question why the residents of Pittsburgh must shoulder the financial burden of a City Court when the taxpayers from every other municipality in Pennsylvania are free of this burden.

I have beenadvised that it costs the City's taxpayers approximately \$1,500,000 each and every year to maintain the City Court system as it now exists. This is not a drop in the bucket. I think that we, as Members of City Council, have

an obligation to all of the residents of the City to examine the City Court system and to determine whether the service that it provides is justified by its cost.

The City of Pittsburgh receives approximately \$5,000,000 in revenues each year from fines and court costs. The majority of these revenues are derived from parking fines that are handled through the Traffic Court arm of the City Court system. It is the violations of parking ordinances that this Council has enacted and violations of the State Vehicle Code that generate these fines. Traffic Court is merely the place where hearings are held and any fines paid. The revenues from the fines themselves would still find their way into the City's treasury, even if the hearings were held in the courtrooms of the 17 elected district justices now serving the City.

There has been discussion during the pendency of a new City Magistrate's nomination about the policy of prior Administrations to appoint only licensed lawyers to serve as City Court magistrates. There is nothing in the United States or Pennsylvania Constitutions, any act of the legislature or the City's Home Rule Charter that requires City Court magistrates to be licensed attorneys. Many of the elected district justices throughout this Commonwealth are not licensed lawyers. Some of the 17 elected district justices who now serve within the City are attorneys, and some are not. Since 1970, the system of elected district justices has served all of the people of Pennsylvania well. I am not an attorney, and I served as an elected district justice for almost 20 years. During this time, I received continual training to assist me in the performance of my duties. Recently, Governor Casey appointed a non-lawyer to fill an unexpired term as district justice in the Moon Township-Coraopolis area. This area includes the Greater Pittsburgh Airport, and it is one of the busiest judicial districts in the Commonwealth. An unrequired policy to restrict the performance of the function of the minor

judiciary to persons who are attorneys is a flimsy excuse to avoid addressing what may be a way to save the City a substantial sum of money.

Even if we merely eliminated the office of City Magistrate and used the 17 elected district justices to perform these functions, the savings in salaries and fringe benefits alone would be over \$250,000. Additional savings could result from the use of County paid personnel to perform the functions of clerks and from the use of County computers, equipment and courtrooms.

I shall introduce a resolution calling upon City Council to investigate fully and completely the necessity for continuing the City Court system as it now exists. If the savings to the City's residents are as I expect them to be, I shall lead the way in requesting the County's delegation to the Legislature to enact remedial legislation to abolish the City Court system. It is not often that we, as Councilmembers, find that the City is providing costly services that are already in place and are being funded by another unit of government. When this happens, we have a duty to investigate and, if the circumstances warrant, to relieve our constituents of a needless expense."

Thank you very much.

The Chair:

Thank you, Mr. Regan.

Mr. Cohen:

Mr. President, one quick item on another issue, and that is, I just wanted to remind people who are listening that this Thursday at 10:00 a.m. we'll be having a public hearing on the rate hikes and other recent changes of our cable company, TCI of Pennsylvania. Councilman Regan requested that public hearing originally and has worked hard on this issue.

Anybody who is upset by those rate hikes and changes, and has the time, should come down to City Council at 10:00 a.m. on Thursday. If you wish to speak at this hearing, please call the City Clerk's Office at 255-2138. Thank you.

The Chair:

As a follow up to that, the Cable Advisory Committee has asked that Council, as a follow up to an earlier Council action regarding the Cable Regulation, I believe it was Councilman Regan and Councilman Cohen that sponsored it, endorsed by way of signature the letter from the National Association of TeleCommunication Officers and Advisors in cooperation with the National League of Cities, the U.S. Conference of Mayors, and the National Association of Counties. They are asking us to endorse or to sign this letter prior to February 15th.

So, I am only bringing that to every Councilmember's attention. I believe we've had a packet provided to us by the Cable Advisory Committee and I think the right thing to do would be simply to send it around and get signatures.

Mr. Regan:

Mr. President, I'd like to not only commend my colleague, Mr. Cohen, for what he said and what he's done to help the people of the City of Pittsburgh regarding this pay hike, but I would also like the listeners and anybody that would come down, to not only address the pay hike but the service, including installation, the quality of the television, including when a program goes off, them being reimbursed for that period of time.

So, I think that there's a lot to talk about and we welcome all of the people that come down here on Thursday with all the Councilpeople. Thank you.

Mr. Ricciardi:

On that note, Mr. President. Have we received a response from our U.S. Senators and our Congressperson for this area to attend this meeting? I believe we sent a letter to them.

Mr. Perry:

I haven't seen any notification yet.

Mr. Ricciardi:

I urge all of us to call those offices. This way, the hearing will be in the proper perspective of where the responsibility primarily lies.

The Chair:

Mr. Perry, could you please notify those offices again?

Mr. Perry:

Yes.

Mr. Regan moved to approve the Minutes of Tuesday, February 5, 1991.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Milliones moved to recess this meeting and meet again on Wednesday, February 13, 1991 immediately following the Standing Committees Meeting for the purpose of dealing with the General Obligation Bond that was introduced today.

Mr. Cohen seconded the motion.

And on the motion of Mr. Milliones

Council recessed.

Wednesday, February 13, 1991
Pittsburgh, PA

And the time of recess having expired,
Council reconvened.

REPORT OF COMMITTEE

Mr. Millones presented

Bill No. 2164

Report of the Committee on Finance for February
13, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2144

A Resolution entitled, "Resolution authorizing the incurring of nonelectoral debt service for the purpose of providing funds for Capital Projects, by the issuance of General Obligation Notes, in the aggregate principal amount of \$30,000,000; accepting a proposal for the purchase of the notes; finding a sale by negotiation to be in the best financial interest of the City; providing the maturity, interest rate and redemption features; covenanting to pay debt service; pledging full faith, credit and taxing power for the payment of the note; appointing a paying agent, registrar and sinking fund depository; establishing a sinking

fund; appropriating the note procedures; ratifying prior advertisement and directing further advertisement; authorizing the payment of expenses; ratifying the preliminary official statement; authorizing approval of the final official statement; adopting a form of note; and repealing inconsistent resolutions."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

And on the motion of Mr. Regan

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, February 19, 1991

No. 8

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, February 19, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 2206 WHEREAS, in 1913 a small group of African American railroad mail clerks gathered at Look-Out Mountain in Tennessee to discuss how African Americans were experiencing employment discrimination in the postal system; and

WHEREAS, as a result of that historical meeting grew the National Alliance of Postal and Federal Employees Labor Union; and

WHEREAS, the presence of National Alliance of Postal and Federal Employees Labor Union has had a significant impact on the ability of African Americans to secure and maintain employment in the postal system; and

WHEREAS, the National Alliance of Postal and Federal Employees Labor Union was responsible for erasing the rule that photographs were required to be submitted with employment applications; and

WHEREAS, through efforts of the National Alliance of Postal and Federal Employees Labor Union, African Americans who were illegally fired during the McCarthy era were reinstated with back pay, women became eligible for permanent full-time employment in all departments, pre-test training courses were conducted in minority communities, and the establishment of need-based worker trainee and

stay in school positions in the Pittsburgh Post Office; and

WHEREAS, in 1991 the National Alliance of Postal and Federal Employees Labor Union continues to focus upon improving the relationship between the postal service and its African American employees.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh is mindful that Pittsburgh Local 510 of the National Alliance of Postal and Federal Employees is and has been an organization that has dedicated its existence to maintaining a system that serves to ensure that African Americans employed in the postal system have the opportunity to be in a position respectful of their talents.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Speaker:

Thank you. The National Alliance of Postal and Federal Employees, Pittsburgh Local 510, wishes to thank Councilman Darkins as well as the entire City Council, for presenting us with this resolution.

We are committed to upholding the high ideals of our founding fathers, as well as continuing the progressive tradition of our Pittsburgh Local 510 in securing equal employment opportunity for all and especially postal and federal workers.

Thank you again.

Mr. Darkins:

Thank you.

Mr. Bolden is one of our pioneers in this City and if there's anyone really deserving of being honored in Black History Month, Frank E. Bolden is certainly the person that should be.

Mr. Darkins presents

No. 2207 WHEREAS, Frank E. Bolden is an accomplished journalist of 42 years and has established himself as an authority on the African American existence in the United States; and

WHEREAS, Frank E. Bolden is a past reporter for the Pittsburgh Courier, the NBC Network and a former war correspondent; and

WHEREAS, Frank E. Bolden spent 17 years as Associate Director for Public Education with the Pittsburgh Board of Education; and

WHEREAS, Frank E. Bolden has been a fighter for the common man by expressing his views through the printed word; verbal prose and civil disobedience; and

WHEREAS, Frank E. Bolden is a graduate of the University of Pittsburgh, a Board Member of the United Cerebral Palsy Association, St. Peter's Child Development Center and the University of Pittsburgh's Athletic Committee; and

WHEREAS, Frank E. Bolden is a man who has given of his time, love, compassion and intellect.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Frank E. Bolden for his invaluable contributions to the African American community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Bolden:

Thank you very much, President Wagner, Bishop Darkins, and the other Honorable Members of City Council. It is with great humility that I accept this resolution this morning. I feel, really, that I don't deserve it. I just feel that all citizen ought to give something back to their community. My mother reared me that way and I still feel that way.

Here in Pittsburgh, I came here to go to school and I learned to love Pittsburgh. I got my "political training" under Mayor David L. Lawrence. He taught us that this City had its strength in the mosaic of its ethnic peoples. I believe that.

We had a Civic Council at that time which I hope some day we can bring back so we can sit down and discuss our problems and help make our City a better place to live and to keep it shining also as a role model for the children.

I would like for them to be able to come down here and see a Civic Unity Council in operation to show them really what America is all about because I'm a firm believer that we must always stand united. And to be united we have to depend on "I". Each one of us must be in the right place. If you spell united the right way - u-n-i-t-e-d - it's right. If the "i" is in the wrong place, it means "untied". Sometimes we get in the wrong place.

As a war correspondent, I saw men die. I saw them die for America. I don't care for war except for the defense. However, once we go into battle, I think we ought to support all of our troops. I'm a firm believer that war never determines who is right, but who is left.

Therefore, I join all of you this morning in asking for peace.

Again, I wish to thank you for this honor.

Mr. Darkins presents

No. 2208 WHEREAS, Tina Brewer keeps African American history alive through thread and fabric; and

WHEREAS, Tina Brewer has received national acclaim for her talent to design quilts that reflect Black pride and African symbolism - her fabric is often hand dyed, creating a tie dyed appearance; and

WHEREAS, in 1991 Tina Brewer's creation "The Harvest" was shown at Atlanta's National Black Arts Festival, being one of fifty works chosen nationwide to be displayed and the only artist's work from Pittsburgh; and

WHEREAS, Tina Brewer's "The Harvest" was a selected pictorial in Fiberarts Magazine's political issue; and

WHEREAS, in 1990 the National Council of Negro Women commissioned Tina Brewer to design "A New Love" for singer and actress Melba Moore; and

WHEREAS, Tina Brewer has been featured in the Pittsburgh Press, the New Pittsburgh Courier and many community newspapers along with television appearances on Black Horizons and From Our Perspective; and

WHEREAS, Tina Brewer's works have been exhibited at numerous locations throughout the City of Pittsburgh and Allegheny County; and

WHEREAS, Tina Brewer is dedicated to keeping the art of African American storytelling

alive by teaching the craft to others.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Tina Brewer as a woman dedicated to the preservation of African American history through the art of quilting.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Ms. Brewer:

I'd like to thank Reverend Darkins and Members of Council for giving me this honor. It's truly a pleasure, and the pleasure has been in the making and in the sharing of our heritage.

African American peoples have brought this quilting into the light once again, and it's through the story quilt that we have tried to show the children what our heritage is and how our strength has come in our struggle.

Mr. Brewer:

My wife is the fiber artist; I am the fiber mouth of the family. My role is to collaborate with my wife and I do the interpretations of the art as an amateur historian, not as prestigious as Mr. Bolden. My role is to define her art, take it graphically and put it into a poetic context. That has brought us together closer as a family. That has brought the community closer because a lot of people have to see the written word with the graphics. It has been our honor to do that and we will continue to do that.

We want to thank you this morning for this particular honor here in City Council and we would like to invite you to come into the community, to the Colosseum for our African

Heritage Room anytime. Thank you.

Mr. Darkins presents

No. 2209 The Alleghenians Limited, Inc. is celebrating their fifth annual Reverend J.A. Williams Dinner at the Hyatt Hotel at Chatham Center; and

WHEREAS, The Alleghenians Limited, Inc. is an organization dedicated to the service of community, city and country; and

WHEREAS, The Alleghenians Limited, Inc. has exhibited these positive qualities by donating holiday food baskets to needy families; and

WHEREAS, The Alleghenians Limited, Inc. has held an Essay Contest at Letsche Alternative Learning Center to commemorate the birthday of Dr. Martin Luther King, Jr.; and

WHEREAS, The Alleghenians Limited, Inc. has held four Image Awareness Seminars with the theme of "Building Self-Esteem and Daring Youth To Dream"; and

WHEREAS, The Alleghenians Limited, Inc. is an organization comprised of dedicated public servants, community residents, educators and professionals.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize The Alleghenians Limited, Inc. for their dedicated service to the African American community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 2165 Resolution amending Res. No. 1415, eff. January 1, 1991, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by adjusting totals on two (2) line items EC 91-210 Wall Reconstruction and CP 91-469 Western PA Conservancy. Engineering and Construction is exchanging \$25,000.00 of NPA funds in the Wall Reconstruction Program (EC 91-210) for \$25,000.00 of CD funds from the Western Pennsylvania Conservancy, (CP 91-469). This will enable the Conservancy to proceed with tree planting before the 1991 CD funds become available.

Also,

No. 2166 Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Repairs and Emergencies to Park Facilities at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 91-144.

Also,

No. 2167 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Ballfield Relighting at Various Locations at a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC 91-115.

Also,

No. 2168 Resolution providing for an Agreement or Agreements, or Supplemental

Agreement or Agreements, with a Consultant or Consultants for Construction Inspection Services for Various City Projects at a cost not to exceed \$260,000.00, chargeable to and payable from Code Account EC 91-414.

Also,

No. 2169 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Various Swimming Pool Design and Rehabilitation at a cost not to exceed \$550,000.00, chargeable to and payable from Code Account EC 91-103.

Also,

No. 2170 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC 91-143.

Also,

No. 2171 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for New Construction Design and Land Acquisition at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 91-504.

Also,

No. 2172 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library in connection with Central Branch Rehabilitation at a cost not to exceed \$175,000.00, chargeable to and payable from Code Account EC 91-409.

Also,

No. 2173 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for the Facilities Environmental Improvement Program at a cost not to exceed \$375,000.00, chargeable to and payable from Code Account EC 91-227.

Also,

No. 2174 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Institute in connection with On-going Miscellaneous Improvements at a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC 91-429.

Also,

No. 2175 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Roofs at Various Locations at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 91-211.

Also,

No. 2176 Resolution providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of equipment and materials in connection with the Safety Code Compliance Program at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account EC 91-229.

Also,

No. 2177 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or

use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Schenley Park Skating Rink Repairs at a cost not to exceed \$100,000.00 or more but less than \$200,000.00, chargeable to and payable from Code Account EC 91-283.

Also,

No. 2178 Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for Architectural/Engineering Services in connection with Various City Projects at a cost not to exceed \$350,000.00, chargeable to and payable from Code Account EC 91-88.

Also,

No. 2179 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Court Renovations at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account EC 91-122.

Also,

No. 2180 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Renovation of Public Buildings at a cost not to exceed \$142,000.00, chargeable to and payable from Code Account EC 91-226.

Also,

No. 2181 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or

use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of the Aviary at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 91-96.

Also,

No. 2182 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Overlook Improvements at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account EC 91-95.

Also,

No. 2183 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Schenley Park Repairs at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 91-423.

Also,

No. 2184 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Existing Play Areas at a cost not to exceed \$1,000,000.00, chargeable to and payable from Code Account EC 91-369.

Also,

No. 2185 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or

use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Phipps Conservatory at a cost not to exceed \$100,000.00 or more, but less than \$499,999.00, chargeable to and payable from Code Account EC 91-93.

Also,

No. 2186 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of the Pittsburgh Zoo at a cost not to exceed \$300,000.00, chargeable to and payable from Code Account EC 91-97.

Also,

No. 2187 Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for the Purchase of Materials and Equipment in connection with Lighting and Electrical Repairs at Various Locations at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account EC 91-145.

Also,

No. 2188 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Various Public Safety Facilities at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 91-243.

Also,

No. 2189 Resolution providing for an

Agreement or Agreements, with a Consultant or Consultants for Architectural and Engineering Services in connection with the Design of Holding Cells, Arraignment Court, and other functions for prisoner processing at the old Public Safety Building at a cost not to exceed \$140,000.00, chargeable to and payable from Code Account EC 86-88.

Also,

No. 2190 Resolution providing for an Contract or Contracts or use of existing Contracts, for Rehabilitation of Various Landscape and Turfed Areas at a cost not to exceed \$175,000.00, chargeable to and payable from Code Account EC 91-114.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 2191 Resolution providing for the issuance of a warrant in the amount of \$1,300.00 for payment to Edwin C. Balis & Associates, Edwin C. Balis, President, for the purchase of a bronze plaque installed at the Traffic Division Station, payable from capital line item 3-30-01-0003-90, Project Fund, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 2192 Resolution granting unto Cathryn Cinquini, 822 S. Negley Avenue, her successors and assigns the privilege and license to construct, maintain and use at her own cost and expense, a handicap ramp and five (5) trees on a portion of the sidewalk of Ellsworth Avenue and Spahr Street in the 7th Ward, 8th District of the City of Pittsburgh. The request is made by Cathryn Cinquini that due to the remodeling to her building the encroachment on Ellsworth Avenue and Spahr Street is necessary.

Also,

No. 2193 Resolution granting unto Fairfax Apartments, 4614 Fifth Avenue, their successors and assigns the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk of Henry Street in the 4th Ward, 8th District of the City of Pittsburgh. The Fairfax Apartments have requested this encroachment so the wheelchair tenancy can more conveniently enter their building.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2194 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Hill Community Development Corporation for the sale of Block 10N Lot 265 for \$20,000.00, property located in the 5th Ward, Council District #6. The redeveloper is currently a tenant in this building located at 2015-2017 Centre Avenue. The area of the lot is approx. 3,423 sq. ft. The redeveloper plans to rehabilitate this building for continued use as their offices and space for additional commercial or office uses. The redeveloper is a Pennsylvania non-profit

corporation with an office at 2015-2017 Centre Avenue, Pgh., PA 15219. The officers include: Thelma W. Lovette, Chairperson; Russell Wingfield, Jr., Vice-Chairperson; Jeanette Poole, Secretary; and Stanley J. Horn, Executive Director.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Millions presented

No. 2195 Resolution providing for the issuance of a \$2,869.49 warrant in favor of William and Dorothy Clark, 1282 San Pedro Street, Pittsburgh, PA 15212 for sewer line repair at 1282 San Pedro Street, payable from Code Account No. 46, Judgments. It was discovered that the City of Pittsburgh's Water Department had excavated immediately in front of the Clark residence while repairing a six inch water main.

Also,

No. 2196 Resolution providing for an Agreement or Agreements with Black Vietnam Era Veterans of Western Pennsylvania, Inc. a non-profit organization, to provide referral and support services for City resident veterans and their families at a cost not to exceed \$10,500.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 2197 Resolution authorizing the Director of Public Safety to accept from the Commonwealth of Pennsylvania reimbursement of monies for expenses incurred, under the training provisions of the Municipal Police Officers' Education and Training Act; further

authorizing the Director of Public Safety to agree to conditions for such reimbursement; and providing for the deposit of the funds.

Which was read and referred to the Committee on Public Safety.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 2198 Resolution authorizing an investigation and study regarding the necessity for the City to fund and operate City Court, including Traffic Court and Housing Court, given the fact that there are seventeen elected district justices within the city who are legally empowered to perform all of the functions presently being performed by the appointed City Court Magistrates; and given the further fact that the elected district justices are officers of, and are compensated by the Commonwealth of Pennsylvania, and their staffs, courtrooms, offices, equipment, supplies and the like are paid for by the County of Allegheny; and directing the City Controller, the Chief Magistrate of City Court, and the Director of Public Safety to assemble information pertaining to the operation of City Court, including Traffic Court and Housing Court, and to report the same to the Members of Council.

—(SPONSORED BY MR. REGAN)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2199 Communication from Louis DiNardo, Director, Department of General Services, submitting the Rules & Regulations for the City-County Building Entrance and Lobby, in accordance with Section 111.01(b) of the Pittsburgh Code.

Which was read, received and filed.

Michelle Madoff:

I think it's about time.

Mr. Ferlo:

Mr. President, this is the first time in the years that I've been here that we've actually received a formal communication from the Administration regarding rules and regulations governing the use of the lobby. I look forward to the fact that they finally have gotten some formal rules and regulations together.

My question to the President is, is this something that is being submitted to Council for approval or is this under the ordinance, just something they need to communicate to Council about and can Council legislatively modify those rules?

The Chair:

I'll defer it to the City Clerk.

Mr. Perry:

It's in the ordinance that they're supposed to file the rules and regulations with the City Clerk for its effective date.

Mr. Ferlo:

Thank you.

UNFINISHED BUSINESS

The Chair presents

No. 2048 Resolution appointing Nello Giorgetti, 707 Forward Avenue, Pittsburgh, PA 15217, to the Steel Valley Authority Board of the City of Pittsburgh for a term to expire January of 1996. Mr. Giorgetti will replace Charles McColleston.

Which was read.

Michelle Madoff moved to approve the appointment.

Mr. Milliones seconded the motion.

Mr. Ferlo:

Discussion. I'm going to vote in favor of Mr. Giorgetti; however, I do feel strongly that the Administration should have appointed somebody from the Urban Redevelopment Authority. URA is the agency that works more directly and closely with the Steel Valley Authority. I think it would have been a better representation of Council, the Administration and the City.

Certainly Nello has been active and there's no question about his qualifications. But in terms of providing a better linkage and better communication, not only do I look forward to Mr. McColleston being placed back on the SVA Board, but I do believe strongly that someone from the URA should have been considered for the authority.

Mr. Regan:

I'm going to abstain, Mr. President. It's nothing personal, it has nothing to do with his qualifications, but it's my only way of protesting.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. REGAN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Giorgetti was approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2200

Report of the Committee on Finance for February 13, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2058

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of O.W.B. Corporation in the amount of \$39,750.00 in payment of an emergency contract for repairs to the E.H. Swindell Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2101

A Resolution entitled, "Resolution providing for the issuance of a \$1,675.86 warrant in favor of William M. Daniels in settlement of claim for vehicle damage."

Which was read.

Michelle Madoff:

Bill 2101 is very similar to Bill 2102. Bill 2101, if memory serves me well, is a car that was covered with cement because we didn't put a cover on it or remove the car.

Again, we need a policy decision on how we're going to operate in the future. I'm not interested in placing the blame, just in solving the problem.

Again, I would suggest that I will call for a post agenda to get a policy. Now, it may turn out that Mr. Specter will give us something prior to that scheduling of the post agenda. I hope you would schedule it, Mr. President, within two weeks so they know we mean business.

If they give us a policy where they're going to rectify this situation, someone will take responsibility — You know, if you make a

mistake, maybe somebody had to absorb the cost of that mistake.

Mr. Ferlo:

Mr. Chairman, on that same bill. I hope the policy includes a \$22.50 plastic cover which can be used to cover an automobile when they're pouring concrete.

Other than that, I would just like my comments brought forward.

(MR. FERLO'S REMARKS ON BILL NO. 2101 - WEDNESDAY, 2/13/91/)

Mr. Ferlo:

If somebody is legally parked on the street, if I am legally parked on the street, Director Gaetano, none of your folks better move my car, I don't care what kind of job you are doing, unless it is some utter emergency, and I don't think that was the case in this situation.

I would suggest that next week on the invoices we see five or six car covers, plastic covers. They are about \$22.00 apiece. Buy five or six of them, and when you do this again, have the guys cover the car.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Mr. Perry, I would just ask that the concerns be communicated to Public Works in regard to that issue.

Mr. Ferlo:

I'll even pitch in and pay for it.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 2102

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$4,200.00 to Harry R. Burkhart and Donald R. Burkhart, 2553 Royal View Drive, Allison Park, Pennsylvania, 15101 in full settlement of a claim for fair market value of a motor vehicle erroneously delivered to a salvor."

Which was read.

Mr. Millions:

Mr. President, I talked with Mr. Specter this morning and he suggested that we recommit Bill 2102 until Councilmembers receive the necessary information that they've requested.

Mr. Coyne seconded the motion.

Michelle Madoff:

With due respect to my colleague, Dr. Milliones, and to Attorney Specter, we have a problem with this bill. I held the bill for one week and the reason was so that we could get exactly what Mr. Milliones is waiting for which is some process whereby this will not happen again. We need a change of policy.

But there is another avenue open to this Council and that is one that we ought to start exercising more frequently. I found out this year, it took me a long time to learn, but I learned this year that the best tool we have is to call post agendas. They have to be here, they have to give us the information, and it can be covered by the immediate world.

I think that for years and years and years and years we've had this problem at the pound where new cars have been given away. It always was an oversight. It was somebody's fault. We don't know what happened. There hasn't been a policy.

Now, I know we have a shortage of space at the pound but how you operate --

The Chair:

In regard to holding the bill.

Michelle Madoff:

I'm suggesting that we do not hold it. There are two bills like that today. We vote for them. We made a mistake, the person has to get paid. We don't punish the person.

I was using that as a wedge to say, okay, finally, give us a policy. But we can go the other

route. The other route would be to call a post agenda and really sit down with the Administration, with the Law Department, with Public Safety, and come up with a process so that this doesn't happen again. And a responsibility.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Coyne:

Point of Order, Mr. President. Is that to recommit until tomorrow?

The Chair:

Yes. It will be on the agenda tomorrow.

Mr. Coyne:

Thank you.

Also, with an affirmative recommendation,

Bill No. 2145

A Resolution entitled, "Resolution amending Resolution No. 749 of 1989 entitled 'Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Urban Youth Service Corps Grants; providing for the execution of Grant contracts and for the filing of requisitions and other data; and authorization for the City of Pittsburgh to enter into agreements authorized by the Urban Youth Service Corps Grants; providing for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Urban Youth Service Corps Projects; and providing for the deposit of funds into a bank account' by increasing the amount available for subcontractor agreements by \$136,521.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferl	Mr. Wagner
	(Pres't)

AYES 8

NOES none

(MR. RICCIARDI ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2201

Report of the Committee on Public Works for February 13, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2063

A Resolution entitled, "Resolution accepting the dedication of Park Lane Drive as dedicated on the Homewood Park Estate in the 12th and 13th Wards, 9th District, of the City of Pittsburgh by Better Block Development Corporation, for public highway purposes, opening and naming the same, fixing the width and position of the roadway and sidewalks, establishing grading, paving, curbing and sewerage thereof."

Which was read.

Also,

Bill No. 2064

A Resolution entitled, "Resolution accepting the dedication of property and the construction of a road on this property known as Tyler Way between existing Tyler Way and Mayflower Street in the 12th Ward, 9th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2065

A Resolution entitled, "Resolution granting unto Millie Sass, 348 Lawn Street, her successors and assigns the privilege and license to construct, maintain and use at her own cost and expense, a balcony with posts on a portion of the right-of-way of Elsinore Street in the 4th Ward, 3rd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2066

A Resolution entitled, "Resolution vacating Cornelius Way from Howe Street to its Southerly terminus in the 7th Ward, 8th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2067

A Resolution entitled, "Resolution vacating Basic Avenue between Niceville Street and Marilyn Street and vacating a portion of Redpool Way from Basic Avenue 75 feet westwardly by 20 feet and also vacating a portion of Redpool Way from Basic Avenue 25 feet eastwardly by 20 feet in the 31st Ward, 5th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2068

A Resolution entitled, "Resolution vacating a portion of Washville Street beginning at Glasgow Street eastwardly 186.05 feet, thence vacating 175 feet eastwardly by 30 feet to its terminus in the 20th Ward, 2nd Voting District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2202

Report of the Committee on Planning, Housing and Development for February 13, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2069

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Community Housing Resource Board to conduct a 'Study of Impediments to Fair Housing', at a cost not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 2070

A Resolution entitled, "Resolution providing for an Agreement or Agreements with West End Elliott Joint Project for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 2071

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Steel Valley Authority for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$46,500.00."

Which was read.

Also,

Bill No. 2072

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Spring Garden Neighborhood Council for operating

and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 2073

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Vintage for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 2074

A Resolution entitled, "Resolution providing for an Agreement or Agreements with South Side Local Development Corporation for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2075

A Resolution entitled, "Resolution providing for an Agreement or Agreements with South Side Children's Advisory Council for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$7,500.00."

Which was read.

Also,

Bill No. 2076

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Shadyside Action Coalition for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$3,000.00."

Which was read.

Mr. Ferlo:

I have a concern on Bill 2076 regarding a \$3,000 appropriation to the Shadyside Action Coalition.

I want to go on record saying that I don't object to the \$3,000 allocation. Obviously SAC is a vital community organization. I do want to state for the record that I hope that this money in no way is going to be used for legal expenses. My understanding is that SAC is contemplating, or has initiated, legal action against the City and this Council in the form of the A-1 zoning to the Municipal Code, and I do object strenuously if any of these dollars are used to incur legal expenses.

Mr. Cohen:

Mr. President, briefly, on Bill 2076 with respect to the grant to the Shadyside Action Coalition, in response to Councilman Ferlo's point.

I actually discussed that precise issue with them and made sure that they agreed that none of this money would go towards legal expenses. They need a computer and this money will be going towards their computer.

Also,

Bill No. 2077

A Resolution entitled, "Resolution providing for an Agreement or Agreements with St. George Food Bank for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2078

A Resolution entitled, "Resolution providing for an Agreement or Agreements with St. Clair Citizens Council for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$6,000.00."

Which was read.

Also,

Bill No. 2079

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Rx Council for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2080

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Riverview Center for Jewish Seniors for operating and/or

administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$6,000.00."

Which was read.

Also,

Bill No. 2081

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Project '90' for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2082

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Literacy Initiative for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$17,500.00."

Which was read.

Also,

Bill No. 2083

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Persad Inc. for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$6,000.00."

Which was read.

Also,

Bill No. 2084

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Perry Central Neighborhood Council for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2085

A Resolution entitled, "Resolution providing for an Agreement or Agreements with North Side Civic Council for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2086

A Resolution entitled, "Resolution providing for an Agreement or Agreements with North Side Civic Development Corporation for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2087

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Mt.

Washington Community Development for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 2088

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lawrenceville Business Association for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2089

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Larimer-Lincoln Revitalization Corporation for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 2090

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Just Harvest for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$1,234.00."

Which was read.

Also,

Bill No. 2091

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Homewood Brushton Merchants Association for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2092

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Historical Society of Western Pennsylvania for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$11,000.00."

Which was read.

Also,

Bill No. 2093

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill District Civic Association for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2094

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Three Rivers Employment Agency for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$2,000.00." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2095

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Greater Pittsburgh Commission on Women for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$8,000.00."

Which was read.

Also,

Bill No. 2096

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Friendship Preservation Group for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2097

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ethnan Christian School for operating and/or

administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$1,500.00."

Which was read.

Also,

Bill No. 2098

A Resolution entitled, "Resolution providing for an Agreement or Agreements with East Liberty Concerned Citizens for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2099

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bloomfield Block Watch for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2100

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bethlehem Temple Christian Academy for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$4,000.00."

Which was read.

Mr. Ricciardi:

The only comment I would like to make, and it's in keeping with Councilman Ferlo's suggestion of last week, is that each group be accountable for their expenditure of funds and that the Planning Director set up some sort of monitoring process or system that next year, when these groups come before us, we could see how the money was spent and how effective it was in the community.

Mr. Ferlo:

First of all, all these groups are receiving dollars as a result of support from City Council, one or more members, and I hope they keep that in mind. And I hope they continue to invite Council to participate in a lot of their activities as neighborhood-based organizations, as I'm sure they will.

Also,

Bill No. 1691

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing: From 'R5-H' Multiple-Family Residence District to 'C3-H' Commercial District all that certain property bounded by: Centre Avenue; Lot No. 308, Block 51-H in the Allegheny County Block and Lot System; Commerce Street, Lot No. 272, Block 84-E in the aforesaid System, 8th Ward."

Which was read.

Mr. Ferlo:

On Bill 1691 concerning the rezoning of two parcels along Centre Avenue to C3-H, I want to indicate that this is another example of the Planning Commission's staff working at cross

purposes to promote development in this City.

This gentleman, Dr. Capone, had to wait close to a year and a half, even greater than a year and a half, before his property was properly rezoned by the Commission in this Council.

This is a gentleman that purchased a dilapidated building on Centre Avenue seeking to build a four story medical office building. He's a plastic surgeon. Basically, he got the run around from the Planning staff and if it wasn't for Council intervening and introducing legislation, we would have another undeveloped piece of property along this corridor.

This is a corridor along Baum Boulevard from Negley to East Liberty Boulevard that I hope the Commission will consider totally for rezoning to the C3-H classification. It would help promote development. It would help development in the East Liberty Mall. And I hope that they will not stymie Dr. Capone and others who are seeking to do development in that corridor.

I'm also upset that as somebody who voted initially to create the C3-H zone several years ago, we were misled by the Commission. I asked at the time if there were any other individual property owners interested in C3-H and Dr. Capone was available and had expressed interest several years ago regarding the C3-H classification. So, when we rezoned the property at the Coca-Cola site, the Commission failed to provide Council with adequate information. We could have done this at the time when we did that initial rezoning.

So, obviously, I'd like to go on record to chastise the Commission staff once again hoping that they will reform and mend their ways. I think it's disappointing this gentleman had to wait a year and a half and building a building at 1991 construction dollars instead of being able to build

it in 1989 when he initially intended to.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo:

Mr. President, I would like to make Bill 1691 effective upon the date of the signature of the Mayor.

Mr. Milliones seconded the motion.

WHICH MOTION PREVAILED.

Mr. Coyne presented

Bill No. 2203

Report of the Committee on General Services for February 13, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2059

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of General Services to enter into an agreement with the County of Allegheny to convey one 1982 Ford Leach Packer Refuse Truck for One (\$1.00) Dollar, and to maintain said vehicle for the County of Allegheny for cost of labor and material on a month-to-month basis."

Which was read.

Also,

Bill No. 2103

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase memory boards for the Bureau of Administration, Communications Section and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo

Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 2204

Report of the Committee on Parks and Recreation
for February 13, 1991 transmitting one resolution
to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2014

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with the New
Group Theatre for the furnishing of professional
services for the benefit of the residents of the City
of Pittsburgh; and providing for the payment of
the cost thereof not to exceed Two Thousand
(\$2,000.00) Dollars, chargeable to and payable
from Code Account 1838 (183806)
Miscellaneous Services, Recreation, in the
Department of Parks and Recreation."

Which was read.

Mr. Ferlo:

Mr. Chairman, I'm going to vote in favor
of the New Group Theatre receiving this
contribution from the City of \$2,000, but I do
want the record to note that they owe over \$1,500
in amusement tax revenues to the City Finance
Department and I hope they pay their taxes.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo

Mr. Milliones
Mr. Regan
Mr. Wagner
(Pres't)

AYES 7

NOES 1

(MR. RICCIARDI VOTING NO)

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 2205

Report of the Committee on Public Safety for
February 13, 1991 transmitting sundry
resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2104

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with the Center for
Victims of Violent Crime for professional
services in connection with advocacy services
and providing for the payment thereof."

Which was read.

Also,

Bill No. 2105

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Legal Advocacy for Women, AKA Support for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1991; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2106

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army for professional services in connection with the Public Inebriate Program; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2107

A Resolution entitled, "Resolution providing for an Agreement or Agreements with National Night Out for services for the residents of the City of Pittsburgh during 1991 and providing for the payment thereof."

Which was read.

Also,

Bill No. 2108

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center For

Emergency Medicine of Western Pennsylvania (CEM)/Infectious Disease Control in connection with Emergency Medical Services of Pittsburgh and providing for the payment thereof."

Which was read.

Also,

Bill No. 2109

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Alcoholic Recovery Center (The A.R.C. House) for professional services for residents of the City of Pittsburgh during 1991 and providing for the payment thereof."

Which was read.

Also,

Bill No. 2110

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Women's Center & Shelter of Greater Pittsburgh for the furnishing of professional services for the benefit of residents of the City of Pittsburgh during 1991 and providing for payment of the cost which is not to exceed \$36,000.00, chargeable to and payable from Code Account 1401, Index Code 140103, Bureau of Administration, Department of Public Safety."

Which was read.

Also,

Bill No. 2111

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM) in connection with Emergency Medical

Services of Pittsburgh and providing for the payment thereof."

Which was read.

Also,

Bill No. 2112

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Three Rivers Adoption Council for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 2113

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Mediation Services for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 2114

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Recovery Center for professional services and providing for the payment thereof."

Which was read.

Also,

Bill No. 2115

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Parental Stress Center for professional services and

providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2116

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Sickle Cell Society for professional services and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

(MR. DARKINS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2117

A Resolution entitled, "Resolution providing for an Agreement or Agreements with NeighborFair Inc. for the Kidswatch Program and providing for the payment of the cost thereof. (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

On Bill 2117 regarding the \$10,000 allocation that this Council gave to the Kidswatch Program, it's not often I get a chance to thank Director Cannon but I do want to thank him for agreeing to actually execute this contract.

This is a very innovative and effective program that initially grew out of the Polish Hill community and will now be a City-wide program. They were before Council, as you might recall, in December to explain the program.

Again, this will be a program that will be

available now City-wide through their efforts and through the efforts of the Department of Public Safety.

I do want to note that the Allegheny County Commissioners have matched the \$10,000 allocation from Council with \$10,000 from County government. It is not often we get that equal participation and I'd just like to have the record reflect that.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 2210 Resolution reappointing Charles McClester, 612 Southern Avenue, Pittsburgh, Pa. 15211, to the Steel Valley Authority of the City of Pittsburgh for a term to expire January of 1995.

Which was read.

Mr. Millions moved to approve the appointment.

Mr. Ferlo seconded the motion.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Millions

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Regan

Mr. Ricciardi

Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the reappointment of Mr. McColleston was approved.

Michelle Madoff moved to approve the Minutes of Tuesday, February 12, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Millions**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, February 26, 1991

No. 9

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, February 26, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Regan:

I'd like to have the Cooper family come forward, please. I'd like to have Mr. Cleary, the Athletic Director from Duquesne University and Mr. Hightower, the Assistant Athletic Director from Duquesne University come forward, please.

Good morning, ladies and gentlemen. I have the honor here today of reading a resolution. It's Black History Month and we're here to honor one of the greatest Blacks that ever lived, bar none. His contribution to basketball and to the United States has been terrific. This man is known all over the world for being the first Black ever to play in the NBA. And over and above that, he was a great man.

Mr. Regan presents

No. 2225 WHEREAS, 1950 was a year that major history for African Americans took place with the drafting of the first African American basketball player to play for the NBA; and

WHEREAS, Chuck Cooper, Sr. attended Westinghouse High, served his country with the U.S. Navy during World War II and then attended Duquesne University leading them to a 77-19 record in four years; and

WHEREAS, after four seasons with the Celtics, Chuck Cooper finished his career with the St. Louis Hawks and the Fort Wayne Pistons; and

WHEREAS, Chuck Cooper was hired in 1970 by Mayor Pete Flaherty to be Director of Parks and Recreation becoming the first African American hired for his qualifications to this position; and

WHEREAS, Chuck Cooper was devoted to recreation for young people and a proved leader in his community; and

WHEREAS, today we have Chuck Cooper's son, Chuck Cooper, III here to accept this resolution and continue the accomplishments of his father.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh honors Chuck Cooper and his accomplishments, and declares Tuesday, February 26, 1991 to be "Chuck Cooper Day" in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

I'd like Coach Bill Shea to come forward, the Head Coach at Allegheny Community College. Bill, who coached young Chuck Cooper, was no slouch. They won the national championship last year under Bill Shea and Bill has always been a hard worker. He said this morning in there that they had a lot of fun running together, their drills over at Allegheny Community College. I said, "Yeah, you had fun

watching; I'm sure he didn't have any fun running them."

But, Chuck Cooper, it sure has to be a proud day for you and your mother and your sister, and it's a proud day for us in Pittsburgh to honor your father. He was truly a great man and will go down in history.

Mr. Cooper:

Honorable distinguished Members of Council, ladies and gentlemen, on behalf of my family, it's a great honor to be here today to receive this resolution proclaiming it Chuck Cooper day in the City of Pittsburgh.

My father was a very modest man and always downplayed his achievements, the hard work, dedication and sacrifice that I'm sure it took for him to put himself in position to become the first Black drafted by the NBA, by the Boston Celtics. He always considered it a dubious distinction. But he was a pioneer, a good man, a great father, who we dearly miss, love and respect.

I'd like to thank Council for passing this resolution and a special thanks to Councilman Regan for sponsoring it. Thanks, Councilman.

Mr. Regan:

I'd like to have the Athletic Director of Duquesne University come forward.

Mr. Cleary:

We've said it's a proud day for the City of Pittsburgh and the Cooper family, but it's also a very proud day for Duquesne University. I think Duquesne is very lucky to have a person like Chuck who has played for them and is a graduate of Duquesne.

We're very happy and we congratulate the Cooper family for Chuck's accomplishments. Chuck is remembered every day at Duquesne and will be remembered for as long as Duquesne is there.

So, congratulations to the Cooper family and thank you for having me.

Mr. Regan:

You know, as Athletic Director you have done a tremendous job at Duquesne University and I know they're on the rise. They've won most of their last games and I think we're going to see big things from Duquesne University.

Coach Shea from Allegheny Community College who last year was the National Coach of the Year and his team won a national championship and he coached young Chuck.

Mr. Shea:

Thank you very much, Baldy, and a special congratulations to Chuck and his family. Having an opportunity to work with Chuck, we had a national team that went out to Hutchinson, Kansas. Chuck and I were reminiscing a little while ago, waiting in Baldy's chambers over there, and I said, "Boy, we had a lot of fun together." as Baldy just mentioned. And Chuck reminded me that we might have had fun coaching, but they might not have had a lot of fun doing all the things we made them do.

It's easy sometimes to make young people do certain things, but thank God we have a young fellow like Chuck who, I think, aptly just made a presentation that I think his family will, and I have been very proud to here what he just said a few minutes ago. Thank you very much.

Mr. Regan:

Thank you all very much.

Now, would the Ward family come up? Reggie, I know your brother-in-law Leon Harvard is here. I know you couldn't get out of the house without his okay. Minnie Ward, would you come up? Ella Mae Harriston, his mother, Reggie, Jr. and Earl, his sons, would you all come up here, please? His daughter, Rhonda; sister, Ella Lou; brother Danny Hairston; nephews Darwin and Raymond; and good friends, the Honorable Mr. Bradshaw and Tim Carbins. Come up, please. And Reggie's sister, Bernadette, who just came in. Would you please come up here?

Dr. Alice Carter, would you please come up? Reggie's boss, he needed her to get the okay this morning. He wouldn't be allowed over here without her. The Doctor is the Director of the Urban League Northview Heights Program. Thanks for coming, Doctor.

Reggie, I'm glad all the Councilpeople aren't here today. We might need a little seating.

I'd like to read this resolution for a long time friend of mine, Reggie Ward. You know, you see the great Chuck Cooper and you see a lot of great athletes. But All Americans a lot of times aren't born; they're made. And it takes guys like Reggie Ward to make young people into All Americans, not necessarily All American Athletes, but All American as people, which is more important than being a great athlete.

And it is with great honor in Black History Month that I honor my pal Reggie Ward for al the things that he has done for young people.

Mr. Regan presents

No. 2226 WHEREAS, working for the betterment of our future sometimes goes

unnoticed by so many people. Today I would like to introduce to you Reggie C. Ward, Sr.; and

WHEREAS, Reggie has been working with the young people of the North Side since 1966; and

WHEREAS, Reggie graduated from Perry High School and entered into the United States Marine Corps completing service in 1970; and

WHEREAS, Reggie Ward has attended Allegheny County Community College and University of Pitt while at the same time coaching the youth of the North Side in basketball, football and molding their lives for the future; and

WHEREAS, Reggie Ward has been community organizer at Perry Hilltop Citizens Council, first African American Black Director at Perry Hilltop Citizens Council, co-organizer of five food co-ops in Perry Hilltop, helpful in developing security police forces for the Pittsburgh Board of Education with Mr. Stanley Rideout, and became the youngest President of the Northview Heights Tennant Council; and

WHEREAS, as Director of Ernest T. Williams Center, Reggie Ward has organized the first Little League in fifteen years and along with other sports brought in 20 championships as a coach in his first ten years; and

WHEREAS, Reggie Ward has organized the Ernest T. Williams and Shadyside Academy Exchange Program for minority students and placed four students on full scholarships. Two students have graduated and are presently in college, one graduating this year with high honors and another in high school; and

WHEREAS, Reggie has been awarded Pittsburgh's YMCA Outreach Award, Pittsburgh Federal Executive Community Service Award,

Athlete of the 60's Award and Baseball Coach of the Year Award in 1980, 1981, 1982 and 1983.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Reggie Ward for all his accomplishments with youth and his 25 years with youth; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Tuesday, February 26, 1991 as "Reggie Ward Day" in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ward:

First of all, I'd like to thank my dear friend, Baldy Regan, the Mayor of Pittsburgh, and City Councilmembers.

It has been a long career, and through that career you cannot do some of the things you do unless you have support systems. My family, my friends, and I'm fortunate enough to have a nice boss, Dr. Carter, and I really want to thank everybody. I appreciate it. God bless you.

Dr. Carter:

Thank you, Councilman Regan, and thank you, City Council.

I have been with the Urban League of Pittsburgh for 23 years now and I'm looking forward to retirement pretty soon. I've been up to the Urban League in Northview since 1988 and I've known Reggie since the '60s when we fought things out on the North Side. But when I went up

in 1988 when the Ernest T. Williams Center went under and the Urban League took over, then I really got to know him because I got to be his boss.

He's the best employee I have, and you can tell the rest; I don't care. He works very hard. He's known as "Mr. Reg" in the community. And he helped me get into Northview. It's not easy. I see some policemen here and if you know the community you don't walk up and everybody says, "Hi there, welcome." No. But Reggie went around and told everybody, "Hey, my boss is real neat. Welcome her." And they have.

So, I'm very, very privileged, extremely privileged, to be here today when Reggie is being honored. You see, I knew Chuck very well too, and Chuck wasn't here to hear his accolades, but Reggie is. Thank you for giving him his accolades while he can hear them. Thank you very much.

May I say one more thing? I like to talk. Not enough can be said about Councilman Regan. I know all the rest of you, too. But Baldy Regan is real neat. He's always up to the Center. He has a dribbling thing with the kids up there. He brings his son with him and he says, "That little white boy sitting over there." It's just real neat. We love Baldy Regan and you're very lucky to have him as a Councilman in this City.

The Chair:

Thank you all.

Mr. Darkins:

Mr. President and my colleagues on Council, being that this is coming to the conclusion of Black History Month here in the City of Pittsburgh, I found and deem it necessary to step over in City government and honor one of our own who has done so much for minorities in

the City of Pittsburgh.

Mr. Darkins presents

No. 2227 WHEREAS, through the efforts of Carol Veal, minorities are afforded the opportunity to participate in the City of Pittsburgh's contract procurement system; and

WHEREAS, Carol Veal escorts and encourages entrepreneurs to comprehend and challenge a system that makes it possible to successfully enter into an arrangement that is beneficial to both the City of Pittsburgh and vendors; and

WHEREAS, Carol Veal is dedicated to her responsibility of ensuring that all vendors interested in doing business with the City of Pittsburgh have an equal opportunity to participate in the process.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Carol Veal as a significant person who carries out the City's Minority Business Enterprise and the Women's Business Enterprise Programs, and extends to her much success in reaching the goals set forth by the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Ms. Veal:

Thank you very much. When Councilman Darkins, and I'd like to thank Councilman Darkins and the President of Council and all of the Councilmembers, when he told me he was going to do this I said, "Fat chance; see how far it will go." But I'm very

pleased that we are able in my office of one person, to achieve some kind of a goal. We've worked long and hard with individuals as far as entrepreneurialship, which we are encouraging to go into business, which, as most of you may or may not know is very, very hard to do, and then talk about government arrangements can be very extensive.

But I appreciate your honoring my efforts and I will hopefully continue to do, hopefully, a good job. Thank you very much.

Mr. Darkins presents

No. 2228 WHEREAS, the Alpha Kappa Alpha Sorority, Incorporated, was founded in 1908 at Howard University; and

WHEREAS, Alpha Kappa Alpha Sorority, Inc. was the first Black Greek Letter Sisterhood; and

WHEREAS, Alpha Kappa Alpha Sorority, Inc. boasts an international membership of over one hundred fifteen thousand; and

WHEREAS, local alumni chapter, Alpha Alpha Omega Chapter, has over 100 active members and is responsible for three undergraduate chapters: Alpha Sigma which has members on many campuses in the Metropolitan Area, Iota Chapter at the University of Pittsburgh, and Kappa Beta at California State University; and

WHEREAS, Alpha Alpha Omega, in keeping with the Sorority's motto, "Service To All Mankind", has provided financial support to: The Lemington Home, The University of Pittsburgh's African Heritage Classroom, Need, United Negro College Fund, and to midwives in the village of Mafazda, located in Sudan.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh recognizes Chapter Alpha Alpha Omega and its President, Jackie Blakey-Johnson, for their mission to uplift young people in their pursuit of academic excellence.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Ms. Edison:

Thank you. On behalf of our President, Jackie Blakey-Johnson, and the women of Alpha Kappa Alpha Sorority, we would like to thank you for the recognition and the resolution.

We plan to continue our service to all mankind. If we can be of any service to the City, please feel free to contact our organization. Thank you.

Mr. Darkins presents

No. 2229 WHEREAS, after witnessing the destitution of "Aunt Peggy Donaldson" in the fall of 1882, Mary Beck Bond organized a group of women and aggressively launched a campaign to buy a home for her and others who shared her plight; and

WHEREAS, in the spring of 1883, \$900 was raised to purchase a small house on Laplace Street in the Hill District, that would accommodate four residents; and

WHEREAS, on the Fourth of July in 1883 the Home For Aged Infirm And Colored Women was dedicated and later renamed Lemington Home For The Aged; and

WHEREAS, in 1983 a large and fully equipped 180 bed facility was erected on

Lemington Avenue, but by year's end mounting deficits resulting from lack of working capital and federal mandated changes in classification of care and payment levels placed the home in financial crisis that threatened its closure; and

WHEREAS, four years of intensive effort by the board and a public-private partnership of concerned individuals and the establishment of a \$1.5 million endowment saved the home and achieved financial stability; and

WHEREAS, today Lemington Home For The Aged is a modern 180 bed long term care facility, fully licensed by the Commonwealth of Pennsylvania to provide skilled and intermediate nursing care to any patient who meets the medical criteria, without regard to race, sex or economic level.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Lemington's Home For The Aged Board of Directors and its Executive Director Arthur J. Edmunds for its leadership and determination to remain one of only two such facilities in the Commonwealth ready to serve a predominantly African American Community.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Driver:

On behalf of Arthur Edmunds, our Executive Director, and Lemington Home, I accept this resolution from the City of Pittsburgh. We thank you for this recognition. We thank the City of Pittsburgh for the support that it has given in helping the facility to serve the community in the past 100 years. And we hope that your

support will endure for the future, for as those who founded the place dreamed, we want to keep that dream forever. Thank you.

Mr. Darkins presents

No. 2230 WHEREAS, the name of George Plimpton invokes thoughts of adventure, personal challenge and world travel; and

WHEREAS, George Plimpton is a distinguished American who has dared to do those things that the rest of us only dream about; and

WHEREAS, George Plimpton is an accomplished author, actor, sportsman and television personality; and

WHEREAS, George Plimpton is a dedicated bird watcher and champion of nature; and

WHEREAS, George Plimpton is a person who has approached the American way of life as a painted canvas full of brilliant colors and bright experiences; and

WHEREAS, George Plimpton is an Ambassador of Good Will spreading the positive message that we all can achieve if we dare to believe; and

WHEREAS, the people of the City of Pittsburgh consider George Plimpton a man most worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims February 26, 1991 as George Plimpton Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mr. President, I would like to introduce to City Council today, because of the nature of this visit to the United States from Russia, my guests. Come. I'd like you to see my guests.

When we were in Russia with Councilman Regan, they're here 14 days to be with us. They're from Ufa. They're going to be my guests in the City of Pittsburgh for 14 days.

They were so kind to Councilman Regan and Councilman Darkins. I don't have the right pronunciation. I had a problem over there. I have a problem with English. But they speak English and they were with us and did some touring and took us around. Vladic and his wife, Natasha, were so nice to us.

Mrs. Davydov:

Good day.

Mr. Davydov:

Unfortunately, my wife doesn't know English well enough, so I could be her interpreter.

"Good Day" is everything that she feels, how we like you and how thankful we are that we met all of you and that you invited us here to see your Country and your City. We like it very much and we are thankful to you. Thank you very much. We are very excited now.

The Chair:

Thank you for coming.

Mr. Milliones presents

No. 2231 WHEREAS, Reverend Dr. Samuel W. Williams, Jr., son of the late Reverend Samuel W. and Mary Ann Williams, the husband to Mrs. Cleo D. Williams, the father of six children and grandfather of fifteen, was born in Glen Rodgers, Wyonming County, West Virginia; and

WHEREAS, Reverend Dr. Samuel W. Williams, Jr., obtained a Bachelor of Arts Degree from Virginia Theological Seminary and College as well as received his Doctor of Divinity Degree from Virginia Seminary and College on April 17, 1983; and

WHEREAS, Reverend Dr. Samuel W. Williams, Jr., accepted his first call to Pastorate of the Locus Grove Baptist Church of Beckwith, West Virginia on December 17, 1956 and since that time has pastored at the Church of Mount Hope, West Virginia; the First Baptist Church of Greentown, Oak Hill, West Virginia; the Logan Street First Baptist Church of Williamson, West Virginia; and the Camon Baptist Church, Hinton, West Virginia; and

WHEREAS, Reverend Dr. Samuel W. Williams, Jr., was called to the Pastorate of the New Zion Baptist Church, 1304 Manhattan Street, Pittsburgh, PA in November 1966; and

WHEREAS, Reverend Dr. Samuel W. Williams, Jr.'s leadership has led New Zion Baptist Church in to a renovation program which included the remodeling of the Sanctuary, the purchase of five houses, two maxi vans, a new public address system, an additional Hammon Organ, a new Baptismal Pool, a fully equipped kitchen as well as an extended list of other purchases and services; and

WHEREAS, Reverend Dr. Samuel W. Williams, Jr., future projects include a new bus, a banquet hall, and space to fulfill his dream to build a Religious School and Office Complex for

all people of all ages; and

WHEREAS, Reverend Dr. Samuel W. Williams, Jr., has ordained eight Preachers and fourteen Deacons, organized fifteen Church Auxiliaries, conducted Church Covenant classes to all Baptist and non-members and has conducted over one hundred and seventy weeks of Bible Study.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby join the family, friends, and members of the New Zion Baptist Church in honoring and celebrating the 25th Anniversary of Reverend Dr. Samuel W. Williams, Jr., a preacher who teaches that no job is too small for him to honor, nor is there a challenge too superior for him to confront, but a preacher who believes his greatest achievement has been the winning of souls.

Mr. Milliones moved to adopt the resolution.

Mr. Coyne presented

No. 2211 An Ordinance amending the Pittsburgh Code, Title Eight, Fire Prevention, Article V, Fire Protection Systems, by adding new subsections to the 1990 BOCA National Fire Prevention Code which require fire suppression systems in high rise buildings.
---(SPONSORED BY MR. COYNE)

Which was read and referred to the Committee on Public Safety.

Mr. Darkins presented

No. 2212 Resolution vacating Daru Way between Rectenwald Street and Bede Way in the 16th Ward, 3rd Voting District of the City of Pittsburgh. The petitioner, Stephen Gross, 630 Rectenwald Street, Pittsburgh, PA 15210 has requested this vacation for sideyard

convenience. The Department of Finance is recommending a fee of \$200.00 be charged for the vacation.

Also,

No. 2213 Resolution vacating Thirtyninth Street between Liberty Avenue and Ewing Street in the 6th Ward, 7th Voting District of the City of Pittsburgh. The petitioners, Santo Construction Company, 4504 Liberty Avenue, Pittsburgh, PA 15224 have requested this vacation for expansion purposes. The Department of Finance is recommending a fee of \$9,400.00 be charged for the vacation.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2214 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to transfer the balance of funds remaining in the Greenway Redevelopment Project account (Project R-391), which totalled \$168,554.49 as of December 31, 1990, together with interest earned since December 31, 1990, to the Hill District Facade Program.

Also,

No. 2215 Resolution authorizing an Amendatory Crawford-Roberts Cooperation Agreement or Agreements with the URA of Pgh., in form approved by the City Solicitor, providing for the transfer to the Authority of an amount not to exceed \$1,500,000.00 to be used for public improvements in the Crawford-Roberts Redevelopment Area, chargeable to and payable from Code Account UR-8 Crawford-Roberts Renewal.

Also,

No. 2216 Resolution authorizing a 1991 Cooperation Agreement with the URA of Pgh. for the Administration of City programs and projects at a cost not to exceed \$490,000.00, chargeable to and payable from Code Account 1017, Miscellaneous Services, Office of the Mayor, B-5 Development Services.

Also,

No. 2217 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Clinton B. Wright for the sale of Parcel 231 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27. The redeveloper owns the structure at 1420 Page Street and will use this parcel located at 1419 Faulsey Way as a rearyard area. The parcel contains approx. 912 square feet. The purchase price is \$200.00. (Council District No. 6)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 2218 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article XI - Personnel, by adding a new subsection relative to solicitation of contributions for political campaigns. —(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones presented

No. 2219 Resolution providing for the issuance of a warrant in the amount of \$632.20 for payment to 3M for the service and labor to the 260 BGL/BGM machine and for the purchase of two 7 Film Roller Assembly, payable from Code Account 1075, Subaccount B20-6, Department of Law.

Also,

No. 2220 Resolution Repealing Resolutions approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 2221 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2222

Report of the Committee on Finance for February 20, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2139

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mr. Jeffrey Thomas, 127 Richey Avenue, Pittsburgh, PA 15214, in the amount of \$1,000.00 in payment for professional services rendered to Councilman Duane A. Darkins for the month of January, 1991." ---**(SPONSORED BY MR. DARKINS)**

Which was read.

Also,

Bill No. 2146

A Resolution entitled, "Resolution providing for the issuance of a \$1,845.00 warrant in favor of Stephen B. Spolar and Jody Buchheit Spolar in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of

Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2147

A Resolution entitled, "Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller."

Which was read.

Michelle Madoff:

Mr. President, I received a memo, a letter today from the Controller asking that we hold Bill 2147. That's the information from Kickie, McCamey and Chilcote, and that they will supply the information by next week.

I make that as a motion.

Mr. Milliones seconded the motion.

Which motion prevailed.

Also,

Bill No. 2148

A Resolution entitled, "Resolution amending Resolution 556 of 1990 entitled: 'Resolution providing for an Agreement or Agreements with an actuarial firm to provide actuarial services for the City of Pittsburgh for a period of three years and providing for the payment of the cost thereof subject to annual budget appropriations', by adding a reimbursement provision."

Which was read.

Also,

Bill No. 2149

A Resolution entitled, "Resolution Repealing Resolution No. 1068, Item A, effective October 22, 1990, which authorized the sale of 2-3 story, frame houses and store on a 48' x 102.05' lot, in the 12th Ward, located at 403-403-1/2 Larimer Avenue, designated as Block 124 J, Lot 252, to Leon Octave, for the sum of \$4,500.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2150

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 6927 Perrysville Avenue, Pittsburgh, PA 15202-1825, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of February, 1991."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2151

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as the City Clerk's Vending Trust Fund (CCVTF) for the deposit of funds to be used for the purchase of miscellaneous items."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2191

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of One Thousand Three Hundred (\$1,300.00) Dollars, without previous authority of law, for payment to Edwin C. Balis & Associates, Edwin C. Balis, President, for the purchase of a bronze plaque at Traffic Division Station."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

Mr. Milliones (Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2223

Report of the Committee on Planning, Housing and Development for February 20, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2140

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for administrative support in operating the 'Commission on Families' program at a cost not to exceed \$27,000.00."

Which was read.

Also,

Bill No. 2141

A Resolution entitled, "Resolution amending Resolution No. 448 effective June 16, 1988 as amended by Resolution No. 627 effective August 2, 1989, and Resolution Nos. 132 and 1184 of 1990, entitled 'Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988

Community Development Block Grant Program', so as to reprogram funds in City Council."

Which was read.

Also,

Bill No. 2142

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 1181 effective December 26, 1986, as amended by Resolution No. 198 effective March 13, 1987; Resolution No. 384, effective July 27, 1987; Resolution Nos. 758 and 1065 of 1987; Resolution No. 317 of 1988; Resolution No. 328 of 1989; Resolution Nos. 134 and 1183 of 1990, entitled 'Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1987 Community Development Block Grant Program', so as to reprogram funds in City Council."

Which was read.

Also,

Bill No. 2143

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to the Pittsburgh Board of Public Education for authorization to construct an addition and renovate the existing Frick Academy school building located at 107 Thackeray Street. The addition consists of a two-story structure with a gymnasium and ten classrooms for a total of 34,000 square feet on property zoned 'I-C' Institutional-Civic District, 4th Ward."

Which was read.

Mr. Cohen:

Mr. President, I would like my comments brought forward on Bill 2143.

(MR. COHEN'S REMARKS ON BILL 2143 - WEDNESDAY, FEBRUARY 20, 1991)

Mr. Cohen:

I wanted to ask the Director, was there any neighborhood opposition to this either at the Planning Commission or anywhere else?

Ms. Downing:

There was absolutely no testimony beyond that of the Board of Public Education at the public hearing held by the Planning Commission in December. In informal conversations with the groups in Oakland, there was support for this project.

Mr. Cohen:

I'd like to see the plans and the drawings of it before Tuesday. I don't think we need to hold it up.

Ms. Downing:

Okay.

(END OF REMARKS)

(Transcribed by Mary Anne Hruska, Stenotype Reporter)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 2224

Report of the Committee on Public Safety for February 20, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2197

A Resolution entitled, "Resolution authorizing the Director of Public Safety to accept from the Commonwealth of Pennsylvania reimbursement of monies for expenses incurred, under the training provisions of the Municipal Police Officers' Education and Training Act; further authorizing the Director of Public Safety to agree to conditions for such reimbursement; and providing for the deposit of the funds."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan:

In accordance with Section 322 of the Home Rule Charter, I move that the Effective Date of Bill 2197 is the date on which it is signed by the Mayor.

Mr. Milliones seconded the motion.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council, particularly the Committee person, Mr. Regan, who deals with Public Safety, I think it would be important for this Council and the public to find out what the status of our highrise apartments, whether there's an inventory of those apartment

buildings that do or do not have adequate fire protection.

As you know, the fire in Philadelphia, which sort got buried by the war situation, has killed three firefighters. There were some real problems with the sprinkler systems. It was an old building, it was grandfathered.

I think we ought to find out if these buildings are grandfathered, what provisos there are for those buildings and what the situation is in our City. I remember one day sitting here looking and saying, "There's a fire" and we called the Fire Department.

I think it's imperative. I don't want to see any of our firefighters, or anybody's firefighters, killed and I would ask that Mr. Regan look into that for us.

Mr. Regan:

Yes, ma'am.

Mr. Ferlo:

Mr. Chairman, on a couple of unrelated issues.

First of all, we asked for this information at the budget discussion in December. We asked for it again. I specifically asked Council to support me in requesting this information a couple of months ago. We have yet to receive it. That is, regarding the Administration's policy on the indirect cost recovery for the events such as the Three Rivers Arts Festival and the Regatta, the Children's Festival, and the various events that the City of Pittsburgh has now become host to for the last decade.

If you remember, there has been a lot of debate and confusion. I'd like to avoid that this year, especially as it relates to the Grand Prix and

the other events that will be forthcoming. I think we need a clear understanding from the Administration and my request once again is what information can the Administration give us regarding their policy on the indirect cost recovery for these six or seven events. Specifically, what did they collect last year by way of revenue, and what are they anticipating this year. What is their instruction to these groups regarding whatever arrangement they have.

I don't want another chaotic situation like we had last year with the Arts Festival and the Vintage Grand Prix. There's no need for that.

So, once again, I respectfully request that information.

The Chair:

Mr. Perry, could you please write a letter and ask for a response in two weeks?

Mr. Ferlo:

Secondly, Mr. Chairman, the issue of video poker machines comes to mind. As you know, several years ago I introduced a bill attempting to raise the annual permit fee, the licensure of the machine, to \$500. That didn't have enough votes at the time and we compromised. We raised it, I believe, to \$360 which was a significant increase over the initial \$125 annual fee.

Now, what I'm trying to understand is, how all of a sudden there is a proliferation of video poker machines, not only in my Council district but throughout the City. In my district alone, there's at least 400 machines throughout Lawrenceville, Polish Hill, Bloomfield and the other neighborhoods that I represent, and there's certainly an equal number, if not a greater number, in some of the other neighborhoods throughout the City.

As far as I'm concerned, and I said this during the budget debate, I would prefer that we collect and license the machine and get our revenue. We're out \$200,000 or \$300,000 right now because we failed to collect a licensure fee this year for those machines.

I want to know what is the policy of the Police Department, what's the policy of this Administration, and what's the policy of the law enforcement agencies regarding video poker machines. Either they're going to take them out and everybody is not going to have them, or they're going to leave them in and, as far as I'm concerned, I want BBI to go back out and collect our \$300,000 revenue licensing the machines. I want to know what's up.

If something can't get explained to me shortly, then I'm going to ask that somebody start asking some questions because it's very mysterious to me that all of a sudden there's a proliferation of these machines and money is not being collected, the machines aren't being taken out.

I'm not proposing any threat or any innuendo or anything of the sort, but I'm just saying that something doesn't smell right to me. I can add two and two and something's not right here. Either the machines are in or they're out. If they're in, I want the \$360 licensure fee collected. If they're out, then they all get taken out.

In my district alone we have retail store fronts that have been established for no other reason than to operate video poker machines, which is gambling.

I'm not making a moralistic statement about gambling here today; that's not the forum in which I'm attempting to speak. I'm quite franking saying, and I have personal opinions about the legalization of these machines and that's a

separate discussion. My only point, Mr. Chairman, is that I want to know what is the policy of the Police Department and the Mayor regarding video poker machines in this City. If they're in, go out and collect that \$300,000 revenue that we're missing out on. If they're out, then take them out.

We even have a distribution company in Bloomfield that's distributing the machines along with some other video machines.

What is the policy? If I don't get an answer, then I'm going to go to some other levels of government at the State level and ask what the policy is.

The Chair:

Mr. Perry, could you send a letter also to the Director of Public Safety requesting information that Mr. Ferlo has asked for?

Mr. Regan:

I also like to ask for a legal opinion regarding the legality of these machines from or Law Department.

I would like to ask my colleague, Mr. Ferlo, if it stinks so bad, does he know anybody that's doing anything illegal or immoral in the City of Pittsburgh? And I don't say that to be smart; I just say that to my colleague. If he knows of anything, I wish he would come forward with it.

The Chair:

Mr. Perry, a letter also to the Law Department asking about the legality of the machines.

Michelle Madoff:

And if they go out and look, see if the smoking vending machines for children are out there at the same time.

Mr. Ferlo:

In response to my colleague, Mr. Regan, I just want to make it clear. My bottom line is that I think we should be out there collecting the \$360 licensure fee. Period.

Mr. Regan:

I'm on the same line with you, Councilman.

Mr. Ferlo:

Thank you.

Mr. Cohen:

Mr. President, I just want to announce very briefly that directly after this meeting we're going to have a post agenda on new parking restrictions on Baum Boulevard. A number of

merchants from the Baum Boulevard Corridor are here and the Directors of Public Works, Engineering and Construction, City Planning, have also been requested to attend.

The Chair:

Thank you, Councilman Cohen.

Michelle Madoff moved to excuse Mr. Coyne for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones moved to approve the Minutes of Tuesday, February 19, 1991.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, March 5, 1991

No. 10

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, March 5, 1991

PRESENT:

MR. COHEN	MICHELLE MADOFF
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT:

MR. MILLIONES

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ferlo:

The Bishop and I would both like all the representatives from the Club to come forward, please. Mr. Stagno and all the members and officers. I'll explain later why Duane and I are doing this together.

Mr. Ferlo and Mr. Darkins present

No. 2249 WHEREAS, in July, 1927, the Spigno Saturnia Italo-American Society was formed and in 1928, a charter was obtained in the Court of Common Pleas of Allegheny County, PA; and

WHEREAS, this society was formed to help all members in need, to promote education programs, to strive to make all members good citizens and a credit to the community; and

WHEREAS, over the years, the role of the organization has changed from one designed to assist the financial, medical and societal needs of its members to one that enables and invites its members to enjoy their culture and heritage; and

WHEREAS, all the members today recognize that the organization's survival and evolution would not have been possible without sacrifices and work of its past presidents and members; and

WHEREAS, the late Frank C. Stagno

was the organization's youngest member and its longest running president; and

WHEREAS, the Spigno Saturnia Italo-American Society is having a banquet on March 9, 1991, to honor its deceased past presidents and members in order to note the accomplishments of those who shaped the past and to provide a source of pride to its present memberships and a point of reflection to those who will come in the future.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the longevity and accomplishments of the Spigno Saturnia Italo-American Society; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Saturday, March 9, 1991 as Spigno Saturnia Italo-American Society Day in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Duane is going to present the proclamation to Mr. Stagno who is available here today. Actually, we have two Tony Stagnos here today and they both going to get a chance to say hello.

I do want to recognize the presence, also, of John Zottola who all of us recognize as Chairman of the Board of Adjustment who is an officer in the Club also.

Mr. Stagno:

Thank you, Mr. Ferlo and Mr. Darkins. I

want to say that I am very proud to be here today. Thank you to my members that made it possible to attend to commend this honorable resolution.

I, as a member for 51 years, I say that I would like to continue to see our Lodge keep going stronger and stronger with the help of the City of Pittsburgh officers.

I want to thank each and every one of you to be here. Thank you very much.

Mr. Darkins:

This is some day today because of two reasons; number one, that the Lodge itself is located in Mr. Ferlo's Council district which is adjacent to my district, and the Stagno's business is in my Council district, and that's the ninth district, the mighty ninth Council district.

Also, I'm a relative of the Stagnos because I come from the southern tip of Italy and my skin will never peel, it will always be the same. But we're glad to have Tony Stagno here today.

Mr. Stagno:

Thank you, Councilman Darkins and Councilman Ferlo, Council President Wagner and Members of Council.

About 65 years ago, the Spigno Saturnia Society was established. A group of 13 men felt the need to have an organization to provide for the welfare of its members and to give each other the support needed to adapt to their new homeland.

As the years passed, so did the needs of the Society. Today, we wish to preserve the customs and heritage of our native country. A memorial banquet will be held on March 9, 1991 at the Sheraton at Station Square to honor all

deceased members.

At the first meeting 65 years ago, on the steps of the Kingsley House which was the Settlement House in the Larimer Avenue district of East Liberty, these 13 men from Spigno clasped their hands together and poured homemade wine over their clasped hands. This was their agreement, this was their understanding and it sealed this understanding. There was nobody around to record this. There were no video cameras, no photographs. Simply their word, and that was their bond.

The gesture of the handshake became a society symbol and it is our tradition, the Spigno tradition, when we receive hospitality and good will as we do today from the City of Pittsburgh and from Members of Council, we feel it's our responsibility and our obligation to return that good will. So, today we present to Council a memorial medallion to each Member of Council and on the back it reads, "The Spigno Saturnia Society Memorial Banquet 1991". So, we have one of these for each Member of Council and also we have a bottle of homemade wine. Don't pay attention to the label; it's all homemade by the members themselves. So, maybe sometime when some of the Members of Council don't agree, they can get together and pour some wine.

Michelle Madoff:

Do we get any Stagno bread with this?
It's so good.

Mr. Stagno:

No, not today. It's not commercial time.

But we would like to present each Member of Council as we leave with a bottle of the homemade wine because this is really the symbol of our Society and how it was organized.

Thank you very much.

Mr. Ferlo:

I just want to thank Tony and Tony and John and all the other members and officers of the Cub. Many of us will be at the banquet and the dinner and if anybody has any problems regarding the Ethics Commission and not accepting the wine, you can leave it on my desk. It's no problem. With that, I just want to thank them once again.

Mr. Regan:

Councilman, where do we purchase the tickets to the banquet?

Mr. Ferlo:

Call my office. We'll arrange for you to be at the banquet. No problem.

Mr. Cohen presented

No. 2232 Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants for Design Services in connection with the Widening of Penelope Street at a cost not to exceed \$100,000.00 or more, but less than \$150,000.00, chargeable to and payable from Code Account EC 90-46.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 2233 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of litter receptacles at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account 1612-2, Equipment.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 2234 Resolution providing for the issuance of a warrant in favor of Mr. Jeffrey Thomas, 127 Richey Avenue, Pittsburgh, PA 15214, in the amount of \$1,000.00, in payment for professional services rendered to Councilman Duane A. Darkins for the month of February, 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District #9, City Council. --(SPONSORED BY MR. DARKINS)

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 2235 Resolution further amending Res. No. 732 of 1990 as amended by Res. No. 961 of 1990 and Res. No. 1286 of 1990 entitled "Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Job Training Partnership Act Program and providing for the payment of the costs thereof," by increasing the amount available to subcontractor agreements by \$217,936.00 from \$1,616,790.00 to \$1,834,726.00, chargeable to and payable from the various JTPA Trust Funds.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2236 An Ordinance amending and supplementing the Pittsburgh Code, Title Two-Fiscal Article IX Property Taxes, Chapter 267 Exemptions for Industrial and Commercial Improvements, by extending the life of the Exemption Program and adding a delinquency provision.

Also,

No. 2237 Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$13,000.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1991 entry firefighter performance examination administered by the Department of Personnel and Civil Service Commission, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 2238 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the design and implementation of City-wide training programs for City employees

in various City Departments including but not limited to supervisory skills training, management skills training, orientation programs and occupational skills training, at a cost not to exceed \$42,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 2239 Resolution providing for a professional services agreement or agreements for the provision of training City employees in the use of personal computers and personal computer software packages at a cost not to exceed \$35,000.00, payable from Code Account 1043, Misc. Services.

Also,

No. 2240 Resolution providing for an Agreement or Agreements or for the use of existing Agreements with a Consultant or Consultants for a mixed media package in connection with the Fair Housing Assistance Program of HUD, the mixed media package will include but not be limited to, professional services for graphic design, preparation and placement of advertisements, posters, car cards, tail light displays, etc. Also to be included is the production of professional audio and video electronic media services. The costs will include professional and technical service fees, supplies, services and equipment, cost not to exceed \$20,000.00, chargeable to and payable from the HUD Trust Fund, Commission on Human Relations.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 2241 Resolution providing for the

issuance of a warrant in favor of Harrington, Inc., 2630 West 21st Street, Erie, PA 16506, in the amount of \$3,601.48 in payment for hose fittings and materials for the repair of damaged hose for the benefit of the City, chargeable to and payable from Code Account 1464, Equipment, Bureau of Fire, Department of Public Safety.

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 2242 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 6927 Perrysville Avenue, Pittsburgh, PA 15202-1825 in the amount of \$1,600.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of March, 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, District #3, City Council. ---(**SPONSORED BY MR. RICCIARDI**)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2243 Resolution amending Res. No. 1111, approved October 23, 1990 entitled "Providing for an Agreement or Agreements with the Airport Area Advisory Commission for the benefit of the residents of Pittsburgh, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning," by deleting the name Airport Area Advisory Commission, and adding the name Penn South West Association. Chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning. ---(**SPONSORED BY MR. WAGNER**)

Which was read and referred to the Committee on

Planning, Housing and Development.

Also,

No. 2244 Communication from Mary K. Conturo, City Solicitor, submitting a Quarterly Report of the settlement of small claims not exceeding \$750.00 for the Fourth Quarter of 1990, payable from Code Account No. 1081, Petty Claims. Also, a Quarterly Report of the settlement of claims in excess of \$750.00 for the Fourth Quarter of 1990, payable from Code Account No. 46, Judgments.

Which was read, received and filed.

REPORT OF COMMITTEES

Mr. Milliones presented

Bill No. 2245

Report of the Committee on Finance for February 27, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2195

A Resolution entitled, "Resolution providing for the issuance of a \$2869.49 warrant in favor of William and Dorothy Clark and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2196

A Resolution entitled, "Resolution providing for an agreement or agreements with Black Vietnam Era Veterans of Western Pennsylvania, Inc. a non-profit organization, to provide referral and support services for city resident veterans and their families."

Which was read.

Also,

Bill No. 2198

A Resolution entitled, "Resolution authorizing an investigation and study regarding the necessity for the City to fund and operate City Court, including Traffic Court and Housing Court, given the fact that there are seventeen elected district justices within the city who are legally empowered to perform all of the functions presently being performed by the appointed City Court Magistrates; and given the further fact that the elected district justices are officers of, and are

compensated by the Commonwealth of Pennsylvania, and their staffs, courtrooms, offices, equipment, supplies and the like are paid for by the County of Allegheny; and directing the City Controller, the Chief Magistrate of City Court, and the Director of Public Safety to assemble information pertaining to the operation of City Court, including Traffic Court and Housing Court, and to report the same to the Members of Council." —(SPONSORED BY MR. REGAN)

Which was read.

Michelle Madoff:

On Bill 2198, which I think is a very fine suggestion that we look into our court system and see what we can do to curtail costs there, Mr. Regan's bill, may I respectfully suggest that if we had a performance audit, maybe those questions would be answered.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2147

A Resolution entitled, "Resolution providing for an agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller."

Which was read.

Michelle Madoff:

On Bill 2147, Councilmembers received a response from Dickie, McCamey, and it indicates that a review of the records demonstrates that the files worked on in 1990, approximately 430.5 hours were worked on cases which broadly be defined as lawsuits initiated by terminated employees. 853.7 hours were worked on on other matters which involved general advice, contract review and litigation not involving terminated employees.

Well, I called Mr. May and spoke to his assistant who helped compile this information and pointed out that we need the same date that was supplied four years ago when Mark Pollock went through the data. They keep time sheets that are based on every ten minute billings. And he went through them and looked at them.

The reason we need them is not so much the fact that the 430 hours which are in excess of the \$65,000 contract will not come out of the hide of taxpayers because they're absorbing they tell me it's an \$85,000 overrun that they're going to absorb themselves.

The numbers don't seem to compute. If you've got 853 hours for \$65,000 and \$85,000 for 430 hours, that doesn't compute.

But more importantly, it seems to me that

we need to look as Councilmembers and talk with the Administration. If 853 hours are spent on general advice and contract review in the Controller's Office, maybe we need to see that something happens to cut back on that workload and that need to have litigation.

So, I'm asking to hold one week until we get the same data that was supplied to this Council four years ago. I'd like the Chairman of the Committee to hold it a week.

The Chair:

So you're putting a motion on the floor to recommit the bill.

Michelle Madoff:

Yes. Until next week. I should have the data because I was told they had it a week ago and they decided to give us a summary as opposed to give us the numbers that just don't compute.

Mr. Darkins seconded the motion.

Mr. Ferlo:

Mr. Chairman, I'm sure if we ask for information we can get it. I don't see why we should hold this bill. We have had approval processes for the Controller's Office to enter into contract with this legal firm, in this case it happens to be Dickie, McCamey, for as long as I can remember. For three years that I have been on this Council and for many, many years before that. Last year it was the same dollar figure; this year it's the same dollar figure.

It's pretty clear that legal activities have been conducted by this law firm for the Controller, both for litigation and law suits regarding employee situations as well as the traditional contract review process. I don't see that there's anything different. If there's

something to be made politically or policy-wise regarding that, then I think Councilmembers should speak about that and just raise whatever concerns they have.

But as far as approving the payment, I don't see what the problem is unless we're now saying we don't want to approve the actual contract. But what's the point of delaying this any further?

Michelle Madoff:

I'd like to address the reason why -- Obviously something I said, somebody didn't hear me. They may have listened but didn't hear.

I already stated that the issue is not Dickie, McCamey. They're one of the finest firms in the country. As a matter of fact, they were my first attorneys pro bona in the environment. The issue is not with Dickie, McCamey. I don't care if it's XYZ law firm.

What I'm saying is that when they have 853 as opposed to 430 hours that are supposed to be spent on reviewing contracts and legal business in the City, and the dollar figure is greater and the overrun for which I already stated the City taxpayers will not be charged, they're absorbing the loss. I think we need to look at the hours and how they were spent to determine whether we can make some suggestions as to why we may not need \$65,000 worth of legal work in that department.

It seems to me when we started, and Mike, you could help me, wasn't it \$40,000 originally and it went up to \$65,000 over the years? And this is not paying a bill. It isn't like somebody did work and we're going to pay them. What we're talking about, we're entering into a new contract. And before we enter into a contract, let's look at the evidence. Let's look and see how the money was spent, what area the bulk

of the money was spent. Is there some computer system or some interaction with the Administration or department heads that would correct some of these problems?

I'm merely asking to hold it a week to take a look at the official data which was done four years ago in this Council. I don't think that's an unreasonable request.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff Mr. Wagner
 (Pres't)

AYES 2 NOES 6

VOTING NO:

Mr. Cohen Mr. Ferlo
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

On the bill itself, I will abstain on Bill 2147. I believe whoever had this business should get paid but I'm not sure that I want to vote on the amount until I see the data, the documentation.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Regan
Mr. Coyne Mr. Ricciardi
Mr. Darkins Mr. Wagner
Mr. Ferlo (Pres't)

AYES 7 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2246

Report of the Committee on Public Works for February 27, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2192

A Resolution entitled, "Resolution granting unto Cathryn Cinquini, 822 S. Negley Avenue, her successors and assigns the privilege and license to construct, maintain and use at her own cost and expense, a handicap ramp and five (5) trees on a portion of the sidewalk of Ellsworth Avenue and

Spahr Street in the 7th Ward, 8th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2193

A Resolution entitled, "Resolution granting unto Fairfax Apartments, 4614 Fifth Avenue, their successors and assigns the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk of Henry Street in the 4th Ward, 8th District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2247

Report of the Committee on Planning, Housing and Development for February 27, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2194

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Hill Community Development Corporation for the sale of Block 10N Lot 265 in the Fifth Ward of the City of Pittsburgh (COMMERCIAL REHABILITATION)."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 2248

Report of the Committee on Engineering and Construction for February 27, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2165

A Resolution entitled, "Resolution amending Resolution No. 1415, effective January 1, 1991, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by adjusting totals on two (2) line items EC 91-210 Wall Reconstruction and CP 91-469 Western PA Conservancy."

Which was read.

Also,

Bill No. 2166

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Repairs and Emergencies to Park Facilities; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2167

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Contracts, and providing for the purchase of equipment and materials, in connection with Ballfield Relighting at Various Locations; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2168

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Construction Inspection Services for Various City Projects; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2169

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Various Swimming Pool Design and Rehabilitation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2170

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2172

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library in connection with Central Branch Rehabilitation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2173

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Facilities Environmental Improvement Program; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2174

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Institute in connection with On-going Miscellaneous Improvements; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2175

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Roofs at Various Locations; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2176

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of equipment and materials in connection with the Safety Code Compliance Program; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2177

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Schenley Park Skating Rink Repairs; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2178

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants, for Architectural/Engineering Services in connection with Various City Projects; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2179

A Resolution entitled, "Resolution providing for an Agreement or Agreements,, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with Major Court Renovations; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2180

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Renovation of Public Buildings; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2181

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of the Aviary; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2182

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Overlook Improvements; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2183

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Schenley Park Repairs; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2184

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Existing Play Areas; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2185

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Phipps Conservatory; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2187

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and providing for the Purchase of Materials and Equipment in connection with Lighting and Electrical Repairs at Various Locations; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2188

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of Various Public Safety Facilities; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2189

A Resolution entitled, "Resolution providing for an Agreement or Agreements, with an Consultant or Consultants for Architectural and Engineering Services in connection with the Design of Holding Cells, Arraignment Court, and

other functions for prisoner processing at the old Public Safety Building; and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like my comments brought forth on Bill 2189.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2189 - Wednesday, 2/27/91)

Mr. Ferlo:

I think my position on the North Side lock-up is pretty clear. I am perplexed here, because unless I am mistaken, I believe this was an expenditure that was to be incurred by county government.

Where did this come from that we are going to pay for this?

Mr. Sciulli:

The agreement. The co-op agreement still has to be hammered out, and that was part of the --

Mr. Ferlo:

But the last discourse we had on this was that the county was going to pay the obligations of the lockup.

Mr. Sciulli:

For their part of it, yes.

Mr. Ferlo:

What do you mean, "for their part"? We are not required to hold these prisoners; the county government is.

Mr. Sciulli:

The agreement as it was structured, over a period of time the county would take over that, but for the beginning part the that, the city and General Services agreed to renovate some of these floors. That is all part of the co-op agreement, the overall co-op agreement with the county.

Mr. Ferlo:

I asked that during the debate when we approved the Public Safety zoning and all that. That was not made clear. We are not obligated to build cells; that is the county's obligation.

Mr. Sciulli:

I can assure you the county is spending money here, also. They are using their forces to do it and we are splitting up some of the duties.

Mr. Ferlo:

What is the overall cost of creating these sells for the purposes of moving the lockup and having the holding sell?

Mr. Sciulli:

I don't have that number with me. We split up some of the responsibilities between what General Services will do and what the county will do, and what our consultants will do and their consultants will do. They are involved.

(END OF REMARKS)

(Trasnscribed by Helen L. Kriebel, Stenotype Reporter)

Mr. Ferlo:

I do want to note that the reason why I'm voting no on that is because this involves \$140,000 of City funds to retrofit the Public Safety Building to construct some jail cells, hopefully with the moving of the lockup from North Side to Downtown, which I wholeheartedly support.

I do object, however, to City taxpayers bearing the cost of this construction and engineering and architectural activity which, as far as I'm concerned, legally we're not obligated to perform. The court system is a County function. We took over the I.D. Section many years ago when there were some federal funds available. We shouldn't have done it then but it was done. In the meantime, however, retrofitting the building should be a County expenditure, not City tax dollars.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2190

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts, for Rehabilitation of Various Landscape and Turfed Areas; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff moved to approve the Minutes of Tuesday, February 26, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse **Mr. Milliones** for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, March 12, 1991

No. 11

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, March 12, 1991

PRESENT:

MR. COHEN	MR. MILLONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I'd like to have a moment of silence in memory of two City of Pittsburgh Police Officers that were killed in the line of duty, Officers Joe Grill and Thomas Herron. Thank you.

PRESENTATIONS

Mr. Darkins:

I would ask that Olivia Jones would come forward, and her mother and brother, please.

Mr. President and my colleagues on Council, this is Women's Month in the year of 1991 and I have designated certain people, women in the City of Pittsburgh, that I feel should be honored.

Mr. Darkins presents

No. 2283 WHEREAS, Olivia Jones has been a leader in the Homewood-Brushton community for over eighteen years; and

WHEREAS, Olivia Jones is a successful coach of many sports, and a role model for youth and adults; and

WHEREAS, because of Olivia Jones' ability to "make things happen", she has been Executive Director of the Homewood Brushton YMCA Program Center since September, 1986; and

WHEREAS, Olivia Jones led the YMCA from a deficit position to one that allows the Center to bustle with significant services for the community; and

WHEREAS, the YMCA operates a childcare center for 2-5 year olds, an after-school childcare program for 3-12 year olds and a summer day camp for ages 3-12; and

WHEREAS, the Center supports the community with a drug and alcohol prevention and intervention program, an outpatient treatment component for adults and numerous other activities that meet the community's needs; and

WHEREAS, Olivia Jones commits her skills to many organizations: New Futures, HBRDC Employment Advisory Board, Amateur Softball Association, United Way Portgolio Team, Pittsburgh Coalition Against Substance, the Homewood Brushton Roundtable, Independent Living Skills Network and the Earth Corps Education Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Olivia Jones for her dedication and commitment to improve the status of mankind.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Ms. Jones:

I would like to thank Council and Reverend Darkins for this resolution.

In listening to everything that was read

here, I guess I was standing there saying to myself, "Did I do all of that?" And I think the most difficult thing in responding to this award was looking back on things, especially when you're dealing with youth and you look back on your accomplishments or some of the programs and then you think that you can't really separate which is important because every little thing that you do, as far as working with youth, is important. I mean, they perceive it that way.

All I can say to you is thank you again and I know that I have a lot of work to do. And I don't mind being awarded for my purpose in life. Thank you.

Mr. Darkins:

We would like to ask Dolores Stanton and her guests to come forward. We have the honorable Judge Little here today with Mrs. Stanton, Dr. Leverne Patrick, Leon Howard, Carolyn Franklin, Bill Moss, B.J. Sampson, Nellie Barron, Alma Harris.

Again I'd like to make it known that this is Women's Month and we have one of our very outstanding civil rights women here today that I feel it's necessary that she should be honored.

Mr. Darkins presents

No. 2284 WHEREAS, Dolores Stanton, a graduate of Schenley High School who also attended the University of Pittsburgh, is known throughout Pennsylvania for her devotion, dedication and willingness to serve mankind; and

WHEREAS, Dolores Stanton has been involved in community activities for over thirty years, and in 1986 Talk Magazine honored Dolores with their Black Achievers Award, and in 1990 Renaissance Too Magazine honored Dolores as a dedicated community volunteer; and

WHEREAS, Dolores Stanton is a subscribing member of the Golden Heritage and a 1984 Million Dollar Club Member of the Pittsburgh Branch NAACP; and

WHEREAS, Dolores Stanton has chaired and served on many committees of the Pennsylvania State Conference NAACP branches, has chaired the Pittsburgh Branch NAACP Human Rights Dinner for four years which is the largest African American Dinner in the City of Pittsburgh, and was the beam that created the distinguished Pittsburgh Branch NAACP Homer S. Brown Award; and

WHEREAS, Dolores Stanton is a retired chemist with Nuclear Utilities Services, is the oldest Black member of the Chemist Society, and the Society for Analytical Chemists of Pittsburgh presented Dolores Stanton with a Certificate of Award for Participating in the Societies Program on O.S.H.A. and N.I.O.S.H.; and

WHEREAS, in 1988 the National Association of Negro Business and Professional Women's Club, Inc. bestowed Dolores Stanton with their prestigious Sojourner Truth Award; and

WHEREAS, Dolores Stanton is a past original member of Equibank's Consumer Advisory Board; and

WHEREAS, Dolores has also been active in the political community, serving as Committeewoman for the 12th Ward of the City of Pittsburgh for over 25 years.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Dolores Stanton as a woman who commits her time and energy to improve the status of African Americans and commends her for her unselfish contributions.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Ms. Stanton:

President Wagner, Councilman Darkins, and all of their colleagues. This is an exciting day for me and a great moment. I accept this tribute for all those who helped me receive it. Thank you.

Mr. Ferlo:

I'd like Dan Taylor and Charlene Eddins to come forward, please.

Mr. Ferlo presents

No. 2285 WHEREAS, Governor Robert Casey's 1991 Budget allocates \$13.1 billion General Fund expenditures and a total state budget of \$24.7 billion; and

WHEREAS, Governor Casey's budget calls for the closing of Woodville State Hospital by July 1, 1992, for the ostensible purpose of saving 5 to 6 million dollars; and

WHEREAS, Woodville State Hospital provides over 450 mental health patients a high degree of skilled care, and employs 700 workers who reside in Western Pennsylvania counties; and

WHEREAS, Governor Casey has not guaranteed that all Woodville patients will be absorbed by other state facilities and these patients will, by necessity, turn to the already overburdened and underfunded community-based support-services based in the communities of the North Side, East Liberty and Oakland; and

WHEREAS, the Director of Allegheny County's mental health program has warned that the closing of Woodville will result in a dramatic increase in suicides, numbers of homeless, numbers of homicides, and in the number of patients who will not receive needed medication and medical services; and

WHEREAS, the closing of Woodville will cause serious hardship for patients' families who will be faced with having to find affordable and adequate means of providing alternative mental health care services to their loved ones; and

WHEREAS, the closing of Woodville represents a moral and ethical irresponsibility of the Commonwealth by the abandoning of one of its most vulnerable minorities, the patients at Woodville State Hospital.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh calls on the Governor, the Secretary of Welfare John F. White, and our State Legislators to re-evaluate and reverse the decision to close this important health care facility; and

BE IT FURTHER RESOLVED, that the Council calls on the Mayor and the City Solicitor to review the impact of the decision to close Woodville on our City and its communities and initiate any appropriate legal actions on behalf of the Woodville patients and City residents.

Mr. Ferlo moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo:

At this time I'd like to introduce two

individuals who work at the facility. We have Charlene Eddins here today; she is President of AFSCME Local, the American Federation of State, County and Municipal Employees Local 2325, and also Shop Steward, Dan Taylor, who is in the Pennsylvania Social Services Union which, as we know, is now part of the SCIU, and he represents Local 668. I'd like them both to provide a little bit of an opportunity to explain the situation and how important it is that this resolution show support.

Ms. Eddins:

I'd like to thank Councilman Ferlo and all of Council here. I think this closing of Woodville is very important for a lot of reasons. First, I can address from my own standpoint, I have been a lifetime resident of the North Side. Every day I deal with homeless people. I pass a shelter on my way from Woodville to my home on the North Side and there's people lined up outside of it all the time.

I called one of the women here in the area who deals with that and talked about these people in the shelters, and she tells me half of them have a diagnosis of some kind of mental illness. That's kind of frightening.

We're looking now -- The State is in a bad situation with the budget. Financially we're in a real bad situation, but this isn't the way to save the money.

They're talking about discharging so many of these patients to the community, and Dan will talk to you about that. The beds and that just are not there.

We receive admissions of about 40 people a month at Woodville. Right now we have no vacant beds in the psychiatric section. None whatsoever.

Where are these people going to go when they're discharged? Some are going to go to Mayview. They're going to be laundered through Mayview and put back out on the street. The beds aren't there.

We have a lot of concerns for the patients. They get into the community, they stop taking their medication. There's just a lot. This has to be looked at much closer.

We have concerns for the employees. A lot of people are going to be put out of work. We don't need more unemployment.

These are things that we really are trying to deal with at the level, but we're fighting because as hard as we're fighting, the Commonwealth is rushing. They are in great, great, great speed to close Woodville. I guess they're afraid of our fight. I don't know. But they're trying to put the patients out as fast as they can. So, I guess if we win this, half the patients will be gone. That's our fear.

But anyway, I don't want to take up all your time and I want to thank Council for their support and I truly believe you're doing the right thing. Thank you.

Mr. Taylor:

My name is Dan Taylor and I'm a social worker at Woodville. I have been a social worker there since 1980. I want to thank Councilman Ferlo for his support and your support also.

I was a Keep Woodville Open committee member in 1982 and I'm a committee member in 1991, and we think that the same inflated economics that was presented in 1982 is also being presented right now in 1991.

The Governor says that there is going to be, depending on what newspaper you read, a

\$4.6 million savings. We don't think that's true. We think the Woodville reality is that there's going to be a minimal financial gain. We think discharged patients will still require money from Welfare or Social Security system, or medical assistance which, if anybody has had the chance to read the paper article by the Executive Director of North Communities which will be halved soon which will translate into less psychiatric beds in a community, less beds in nursing homes which will force either patients to be discharged quicker in a less stable psychiatric manner or it will also create more need for quicker commitments in the community and will increase our census as we see it right now.

Patients going to Mayview will require funds to sustain them there and new buildings there will have to be renovated to accept these patients. Our laundry there that we do at Woodville is going to be a situation where it's going to cost the Commonwealth possibly a half million dollars on a yearly basis to do that.

Woodville is the second most cost effective state hospital in the system. We receive the second largest amount of reimbursement dollars and we only have the eighth largest population.

We have heard that Matt Jones from the Commonwealth say that 25 percent of the placement from Woodville is going to go into the community. Allegheny County, as of February 20, 1991, and I have given Councilman Ferlo more updates from our department, had three group home openings at that time. Within the last 8 to 12 months, Woodville State Hospital has been severely reviewed for dischargeable patients with only 12 patients being marginal candidates and Allegheny County is now and again doing this to see what might be dischargeable for the community because they want community funds for group homes which we have no problems with if it's a reasonable

number and you have the right appropriate patients for those settings. But as in 1975, we questioned whether the State is going to continue to give Allegheny County those funds to continue to provide services at the level the patients need them.

Lastly, we believe that homelessness is going to increase as discharges fail to give no group home appropriate settings and that these patients are going to have to use community resources that we recognize are already taxed. And, unfortunately, it's going to impact on what we see, unfortunately, in the City streets today as we walk through the different neighborhoods.

I thank you very much for your support.

Mr. Ferlo:

I just want to add one brief comment. As somebody lived and worked in Oakland for over ten years, I would consider the actions of the Governor, the closing of Woodville, as illegal dumping and cruel and unusual punishment. We can talk all we want about how progressive it is to de-institutionalize, and certainly there are a lot of situations where that is progressive if actually monies are put into the community for support services. That hasn't been the case. It hasn't been the case for the last 20 years and it isn't the case now with the actions of the Governor. If it wasn't for agencies like People's Oakland and Transitional Services and a few others, we would be in an even worse off situation.

The fact of the matter is, people are going to be dumped in communities. And if we look at the track record, we're talking about people that will be dumped in Oakland, in North Side, in East Liberty in particular, without proper facilities for housing, without proper community support services.

As far as I'm concerned, I'm sick and tired

of the Administration dumping on our communities. I think the Administration, and I hope the Mayor will look at whether or not we do have any legal prerogatives to interact with the Administration at the State level because I don't think we should allow people to be dumped in the community. It's not fair and it's not humane treatment for people who obviously need a high level of care.

So, I really appreciate Council supporting this resolution today and I hope that the Mayor and the Administration will look at this issue and evaluate any options that we have to possibly enter into some type of legal action with the Secretary of Welfare regarding this problem.

Michelle Madoff:

I was going to suggest a class action suit on behalf of the people who are being dumped and have been for many years. I think that's your best bet. The rest is just wishful thinking. You need some action.

Mr. Ferlo:

I would ask that our resolution go to all the State Legislative Members and again I will follow up with conversation with the Mayor and Mr. Mistick and maybe we can explore some options.

I just want to thank you for your support and thank you for coming out here today.

We have a second important issue which we would like Council to consider supporting and at this time I would like some of the representatives of the Pitt News to come forward, specifically Scott Ross who is the Editor-In-Chief of the Pitt News and if he brought any other individuals.

Mr. Ferlo presents

No. 2286 WHEREAS, the Pitt News is a student-run newspaper based on the University of Pittsburgh campus which has a long standing track record of providing important news coverage and information to University of Pittsburgh students, faculty, employees and residents of the adjoining neighborhoods; and

WHEREAS, it has been the practice of the Pitt News to publish weekly crime statistics and incident reports occurring in and around the campus area so as to increase awareness of crime problems in the Oakland community and to foster crime prevention and person safety; and

WHEREAS, the University of Pittsburgh Administration has abruptly initiated a new policy which denies the Pitt News access to incident and crime statistics; and

WHEREAS, the University of Pittsburgh is a state-supported institution and receives a majority of its funds from public tax dollars and public grants; and

WHEREAS, the Administration's refusal to provide public safety information to the Pitt News and to the University of Pittsburgh community impedes efforts to improve public safety in the Oakland area, and violates the intent, if not the letter, of our State Public Records Law; and

WHEREAS, both a free press and freedom of speech are foundations of American democratic privileges.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh calls on President Posvar and the Board of Trustees to reverse the policy which denies vital public safety information to the press and public and to provide crime reports to the Pitt

News and all who seek this information.

Mr. Ferlo moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo:

At this time I'd like to introduce Scott Ross who is the Editor-In-Chief at the Pitt News and maybe he could explain a little further about this issue. Thank you.

Mr. Ross:

I'd like to thank City Council for making this resolution, considering that the University is the City's number one employer. I think that it's a good situation when the officials of this City are willing to stand up against the University when they feel that something that the University is doing is wrong.

I think it's important that students, as well as community members, as well as anyone who wants this information, has complete access to it. The University can't stop people from knowing about the crime that goes on on the campus and I think this is an issue for everyone, not just the media, not just the University of Pittsburgh Pitt News to fight, but it's an issue for all the citizens of this City to fight because we all have a right to see those reports.

Once again, I'd like to thank City Council for taking this action.

Michelle Madoff:

It just occurred to me that since my legislation was introduced on garages they started to computerize crimes and where they are taking place for the City. I wonder if we couldn't

supply the information through Mr. Glenn Cannon, through Public Safety, whether we have some records of what is happening in that given area. That's worth exploring.

The Chair:

Thank you.

Mr. Millions presents

No. 2287 WHEREAS, Dr. Niara Sudarkasa, born Gloria A. Mitchell in Fort Lauderdale, Florida, was identified early as a gifted child and received her undergraduate education as a Ford Foundation Early Entrance Scholar at Fisk University and Oberlin College; and

WHEREAS, Dr. Niara Sudarkasa graduated from Oberlin College at the age of 18, ranking in the top ten percent of her class and later earned Masters and Doctorate degrees in Anthropology from Columbia University; and

WHEREAS, Dr. Niara Sudarkasa was the first African-American woman to receive tenure, the first to become full professor in the Arts and Sciences, the first to head an Academic Center, the first to serve as Associate Vice President for Academic Affairs at the University of Michigan as well as become the first woman unanimously selected to head the first Black college - Lincoln University; and

WHEREAS, Dr. Niara Sudarkasa, a former Senior Fulbright Research Fellow and a member of the Council on Foreign Relations, has received 17 academic fellowships, is a current or past member of 20 state and national boards, is listed in at least 10 biographies including Who's Who Among Black Americans, Who's Who in America, and is one of 75 women included in Brian Lanker's "I Dream A World: Portraits of Black Women Who Changed America".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins in recognizing Dr. Niara Sudarkasa, an internationally known, highly respected and widely published scholar whom Essence Magazine dubbed "Educator for the 1990s" and who will deliver the keynote address at the 28th Annual NEED Dinner.

Mr. Millions moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Members of Council, I have two resolutions today, the first of which I would like to ask the All Ireland Champion Dancers and Musicians to please step forward to receive it. Along with them is Sister Michelle O'Leary who is the President of the Ireland Institute of Pittsburgh.

Everyone is aware that this is Irish Week in the City of Pittsburgh. This coming Saturday, March 16th, the St. Patrick's Day Parade will be celebrated beginning at 10:00 a.m. at the Civic Arena and will proceed down Fifth Avenue to Point State Park. I'm pleased to announce that this year the parade will be televised, I understand, by WPXI-TV, the entire parade, and we're very pleased to hear that.

I think after we read the resolution and have Sister Michelle say a few words, we're going to have a short performance by the group.

The Chair presents

No. 2288 WHEREAS, the Ireland Institute of Pittsburgh is dedicated to promoting economic development throughout Ireland with

programs designed to provide education and job related training for young adults from Northern Ireland and the Republic of Ireland; and

WHEREAS, the Ireland Institute of Pittsburgh is again sponsoring the visit of The All Ireland Champion Dancers and Musicians during the week of March 10, 1991; and

WHEREAS, The All Ireland Champion Dancers are comprised of ten dancers from the Oak Grove Ceili Club of Derry, Northern Ireland; and

WHEREAS, the troupe has competed in various competitions throughout Ireland and England where their dominance in these competitions gave them the enviable position of being named The All Ireland Ceili Club of Champions for the past five years; and

WHEREAS, the members of the Ireland Champion Dancers are: Minty Thompson, Nuala Walker, Deirde Monaghan, Jim McIvor, Christine McIvor, Mannis Doherty, Jack Mackey, Edward Brady, Killian Brown and Paula McLaughlin; and

WHEREAS, The Champion Musicians, from Donegal and Crossmaglen, Northern Ireland, are: Paul and Roisin Harrigan, the Bryne sisters, Elaine, Claire and Ursula, and Irish tenor, Paul Breslin.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes The All Ireland Champion Dancers and Musicians to Pittsburgh and salutes their success in the competitions they have entered; and

BE IT FURTHER RESOLVED, that the Council extends its thanks and appreciation to The Ireland Institute of Pittsburgh for their sponsorship of this cultural exchange between

the people of Pittsburgh and the people of Ireland.

Mr. Millions moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Again, we are delighted to have all of you here two years in a row. Sister Michelle O'Leary has been a strong proponent of Irish Cultural Heritage in the City of Pittsburgh and, Sister, we would like you to say a few words and maybe you could tell us where the group is performing during the week.

Sister O'Leary:

Thank you very much, Councilman Wagner. I think you did exceptionally well with the word "ceili". It's an Irish word for dance and we've had a lot of fun this past week with it's pronunciation. So, I want to congratulate you in getting that correct, Jack.

We at the Ireland Institute are very dedicated to peace in Northern Ireland, and the strategy for that is to promote economic development and job creation.

The purpose of this event is really to promote tourism to Northern Ireland. These young men and women are the fruits of that effort. They are all amateurs. They all work in various positions, and they do this in order to maintain the traditional music and dance in Ireland.

I'm not going to take a lot of your time, but I thank you for supporting us.

I'd like to introduce Paul Breslin who will

accept the resolution on behalf of the group.

Mr. Breslin:

Thank you, President Wagner and fellow Councilmembers. It's my pleasure to speak on behalf of the group and first of all say thank you very much for inviting us here this morning. We are highly honored to come here and accept this proclamation. We have been very moved by the kindness of the people of Pittsburgh. We feel that it's home from home, without question, and we're pleased to be here. We would be quite happy to stay here because we feel so much at home.

We would just like to thank you once again and also thank Sister Michelle O'Leary who organized the trip for us. Again, we're deeply honored to the Ireland Institute of Pittsburgh.

Without further ado, I would ask the dancers to show their appreciation for your inviting us here this morning. Thank you very much indeed.

AT THIS POINT THE ALL IRELAND CHAMPION DANCERS AND MUSICIANS PERFORMED.

The Chair:

Thank you all very much. I understand I gave WPXI a plug. You'll be on the Ann Devlin Show on Friday, WTAE, Channel 4. Also, you'll be performing tomorrow evening at Carlow College and a certain day this week, Sister, at Duquesne University, and for sure in the St. Patrick's Day Parade on Saturday. Thank you all.

The next and final resolution, I would like to ask Josette Fitzgibbons, an appropriate Irish name, to step forward to receive this resolution on

behalf of the NeighborFair Pittsburgh, Inc.

The Chair presents

No. 2289 WHEREAS, Neighborhoods, USA, a national organization of neighborhood leaders and local government officials, will soon select a site for its 1992 Annual Conference; and

WHEREAS, NeighborFair Pittsburgh, Inc. will submit a bid to the Board of Directors of Neighborhoods, USA asking that Pittsburgh be the site of the 1992 Annual Conference; and

WHEREAS, Pittsburgh is a City of friendly people from 88 diverse neighborhoods, full of ethnic heritage and pride, who truly care about their communities and their neighbors; and

WHEREAS, Pittsburgh has been recognized nationally as a great place to live, work, play and visit.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby invite Neighborhoods, USA to hold its 1992 Annual Conference in Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council pledges its support to make the 1992 Annual Conference of Neighborhoods USA as pleasant and informative as possible.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I commend the Mayor and NeighborFair Pittsburgh for pursuing this national convention. Josette is here to receive it representing

NeighborFair Pittsburgh.

Ms. Filtzgibbons:

I feel a little anti-climactic up here.

We're always telling everybody and each other what a great City Pittsburgh is and what great neighborhoods we have and this conference is an opportunity to tell neighborhood leaders and government leaders from all over the country how great Pittsburgh is.

So, this coming Friday, we're going down to Dayton to try to convince the Board of Directors that Pittsburgh is the best place to have the conference. We're up against Anchorage, Alaska. Given that most neighborhood leaders are on limited budgets, and that we think Pittsburgh is the best City anyway, we think we have a good chance of getting the conference. So, wish us luck and thanks for your support.

Mr. Cohen presented

No. 2250 Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by providing 1991 funding for EC 244 (Public Safety Riverfront Facility).

Also,

No. 2251 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts in connection with the EMS Riverfront Development; and providing for the payment of the costs thereof.

Also,

No. 2252 Resolution providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants, for Construction Inspection Services in connection with the Reconstruction of Arlington Avenue Phase 3; and providing for the payment of the cost thereof."

Which were read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 2253 Resolution providing for a Contract or Contracts, or the use of existing Contracts for flexible beam guidelines at various locations within the City of Pittsburgh at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 3-01-30-0020-91, Flexible Guiderails.

Also,

No. 2254 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the renovation of repair of concrete streets at various locations throughout the City of Pittsburgh at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account Concrete Overlay Program, 3-01-01-0015-91.

Also,

No. 2255 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant at a cost not to exceed \$425,000.00, chargeable to and payable from Code Account 3-01-01-0001-91, Citywide Resurfacing Program.

Also,

No. 2256 Resolution providing for a

Contract or Contracts, or the use of existing Contracts for the resurfacing of various City streets and park roads with bituminous materials, including asphalt milling, planing, regrading, recurbing and other work incidental thereto, at a cost not to exceed \$465,000.00, chargeable to and payable from Code Account 3-01-01-0001-91, Citywide Resurfacing Program.

Also,

No. 2257 Resolution providing for a Contract or Contracts, or the use of existing Contracts for public sidewalk construction at various locations within the City of Pittsburgh at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account Public Property Sidewalk Program, 3-01-30-0045-91.

Which were severally read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 2258 Resolution adopting Official Sewage Facilities Plan for Doughboy Square Housing Project.

Also,

No. 2259 Resolution adopting Official Sewage Facilities Plan for South Side Business Center.

Also,

No. 2260 Resolution providing for an Agreement or Agreements with Duquesne Light Company in connection with the electrical service for Schenley Plaza Parking Lot in the 7th Ward, 3rd District of the City of Pittsburgh.

Also,

No. 2261 Resolution amending Resolution No. 603, approved June 13, 1990, effective June 19, 1990, entitled "Accepting the dedication of certain property for a traffic signal" in the 4th Ward, 8th District, City of Pittsburgh.

Also,

No. 2262 Resolution authorizing the Mayor and the Director of the Department of Public Works to execute an Agreement with the Borough of Plum, the Plum Borough Municipal Sewer Authority and the Allegheny County Sanitary Authority consenting to the assignment of sewage service agreement among the City, the Allegheny County Sanitary Authority and Plum Borough to the Plum Borough Municipal Sewer Authority.

Also,

No. 2263 Resolution providing for a Contract or Contracts, or the use of existing Contracts for Concrete Slab Replacement at various locations within the City of Pittsburgh at a cost not to exceed \$500,000.00, chargeable to and payable from Code Account Concrete Slab Replacement.

Also,

No. 2264 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the renovation or construction of walls and related facilities of City property at various locations throughout the City, at a cost

not to exceed \$100,000.00, chargeable to and payable from Code Account 3-01-01-0018-91, Emergency Wall Reconstruction Program.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 2265 An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.13, Refuse Accumulation, subsection (d) by making changes and deletions thereto.
—(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Works.

Also,

No. 2266 An Ordinance amending and supplementing the Pittsburgh Code, Title Ten - Building, Chapter 10, Section 1007.02, Subsection 120.03, Notice of Unsafe Structure and Subsection 120.5, Condemnation Notice, by changing the time periods in which abatement of violations shall be required and renumbering Subsection 120.4.1.
—(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Safety.

Mr. Milliones presented

No. 2267 Resolution Repealing Resolution No. 1295, Item G, effective December 18, 1990, which authorized the sale of a 2 story, frame-brick house and a 1 story G.I. garage, on a lot 20 x 138 in the 25th Ward, designated as Block 22-H, Lot 188, known as

1730 Brighton Place, to Lorenzo Woods, for the sum of \$1,500.00. The reason for the above repealing Resolution is that the structure suffered extensive damage due to a fire in mid January, 1991.

Which was read and referred to the Committee on Finance.

Also,

No. 2268 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapter 993, "Exceptions" by providing for Administrator Exceptions to allow new one to three story, single-family dwellings on lots less than 5,000 square feet in area when located in "R" Residential zones other than "RP", "R1-A" and "RL" when situated in an area that is similarly developed.

—(SPONSORED BY MR. MILLIONES)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Regan presented

No. 2269 Resolution transferring the sum of \$80,000.00 from Public Safety Pennfree Initiative (PSPI), Bureau of Police, Department of Public Safety, to Code Account 1154-1, Department of General Services, Rental of Motorized Equipment, as reimbursement for four (4) vans, three vans used by the DARE unit and one van will be used for ONI unit.

Which was read and referred to the Committee on Finance.

Also,

No. 2270 Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services for the residents of the City of Pittsburgh during

1991, at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account (PSTA), Bureau of Administration, Department of Public Safety.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 2271 Resolution authorizing the issuance of a warrant in favor of Teledyne Laars in the amount of \$784.75 in payment for repairs to the Water Heater at Oliver Bath House, chargeable to and payable from Code Account OBH, Oliver Bath House, Department of Parks and Recreation.

Also,

No. 2272 Resolution authorizing the issuance of a warrant in favor of Miller Electric Construction, Inc., in the amount of \$620.66 in payment for electrical services for temporary lighting at Point State Park, chargeable to and payable from Code Account 1829, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 2273 Resolution authorizing the transfer of \$100,000.00 as invoices are submitted for the purchase of asphalt, from Code Account 3-10-10-0002-91, Asphalt Repairs, Dept. of Parks and Recreation to the Dept. of Public Works' Code Account AR, Asphalt Reimbursement Trust Fund.

Which were severally read and referred to the Committee on Finance.

Also,

No. 2274 Resolution providing for the

letting of a Contract or Contracts, or the use of existing Contracts for the purchase of Forestry and Park Landscaping Equipment for the Dept. of Parks and Recreation, at a cost not to exceed \$93,000.00, chargeable to and payable from Code Account 1808, Equipment, Department of Parks and Recreation.

Also,

No. 2275 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of a tractor for use at the Pittsburgh Zoo at a cost not to exceed \$18,000.00, chargeable to and payable from Code Account 1859, Equipment, Department of Parks and Recreation, The Pittsburgh Zoo.

Also,

No. 2276 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for various repairs and emergencies for the Dept. of Parks and Recreation, at a cost not to exceed \$120,000.00, chargeable to and payable from Code Account 3-10-01-0010-91, Major Repairs and Emergencies, Department of Parks and Recreation.

Also,

No. 2277 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and installation of picnic shelters for the Department of Parks and Recreation at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 3-10-10-1640, Erect Non-Permit Pre-Fab Picnic Shelters, Department of Parks and Recreation.

Which were severally read and referred to the Committee on General Services.

The Chair presented

No. 2278 Communication from Ben Hayllar, Director, Department of Finance, submitting the Impact of Military Spending on Employment and Social Service Report of 1989, as required by Section 204 of the Home Rule Charter.

Which was read, received and filed.

REPORTS OF COMMITTEES**Mr. Milliones presented**

Bill No. 2279

Report of the Committee on Finance for March 6, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2220

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 2221

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2235

A Resolution entitled, "Resolution further amending Resolution No. 732 of 1990 as amended by Resolution No. 961 of 1990 and Resolution No. 1286 of 1990 entitled 'Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Job Training Partnership Act Program and providing for the payment of the costs thereof,' by increasing the amount available to subcontractor agreements by \$217,936.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

(MR. RICCIARDI ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2280

Report of the Committee on Public Works for March 6, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2212

A Resolution entitled, "Resolution vacating Daru Way between Rectenwald Street and Bede Way in the 16th Ward, 3rd Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2233

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of litter receptacles, and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like my remarks on this bill brought forward for the Record, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 2233, WEDNESDAY, MARCH 6, 1991)

Mr. Ferlo:

Discussion. Sam, if you can explain the expenditure of the \$40,000.00 and some of the discussion that the task force has had regarding this receptacle.

Mr. Tiglio:

The \$40,000.00 is what we requested to purchase various types of litter receptacles. We had received some quotes at \$400.00, approximately \$400.00, for each receptacle that are similar to the ones that we have sitting on the corners and on the streets now. Although they are different in weight, they are similar in resemblance.

We also are looking at some pole type litter receptacles as what was requested here at Council and this is the extent of what we're looking at now. We're waiting for an approval here so we can go out on contract. We expect a bid to come in much lower than what the first bid was.

Mr. Ferlo:

I think what's important is, first of all, this money was actually a budget amendment by Council and the Administration fortunately is supporting this and as a result of this and some other general discussion on the whole issue of cleanup in our city, a task force was formed, directors have been meeting, myself and Mr. Milliones is on that committee, and this is one of the first of several actions that the Administration will be taking coming to Council and I believe next week there will be an ordinance changing the uniform container requiring residents and others to keep a container on site before they put their garbage out each week.

I think just to be clear on this amount for the receptacles, we're now changing and looking at other kinds of receptacles other than the one that we have always purchased that in the past has cost 600 plus, so hopefully we will get more receptacles for this amount of money and I believe we are going to be utilizing a local vendor?

Mr. Tiglio:

That's right. We're hoping to -- the quotes that we receive were from a local vendor and we're hoping that it stays within the city so so that our ability to obtain them is much quicker than what we have had in the past.

Mr. Ferlo:

And the other thing that we have been lobbying for, at least myself, there are many business districts where I believe that the litter basket attached to certain poles could be just as effective as the more expensive container and the ordinance will now allow different containers to be used.

Mr. Tiglio:

That's right.

Mr. Ferlo:

Then maybe you should just indicate to Council the commitment by the Administration for an additional rat packer which would allow --

Mr. Tiglio:

-- it is our intention to purchase an additional rat packer that will allow us to get around more quickly and expedite the emptying of the baskets.

Mr. Ferlo:

One last point. I want to thank the Administration for this task force. There are a lot of other recommendations that are coming out of it besides the receptacle issue. The other good thing about this change of policy now by the Mayor and the Administration on the receptacle is we're lowering the threshold for retail businesses to actually purchase a can. In the past the \$600.00 was prohibited for a lot of smaller businesses in the neighborhood business corridors and what this new purchasing process that the Administration is going to implement, I think we'll get a greater participation from small business communities on purchasing the receptacle.

Mr. Tiglio:

We are looking at the fact of trying to implement a program that the businesses would be able to buy off of this contract.

Mr. Ferlo:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2281

Report of the Committee on Planning, Housing and Development for March 6, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2214

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to transfer the balance of funds remaining in the Greenway Redevelopment Project to the Hill District Facade Program."

Which was read.

Also,

Bill No. 2215

A Resolution entitled, "Resolution authorizing an Amendatory Crawford-Roberts Cooperation Agreement or Agreements providing for the transfer of an amount not to exceed \$1,500,000.00 to the Urban Redevelopment Authority of Pittsburgh to be used for public improvements, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2216

A Resolution entitled, "Resolution authorizing a 1991 Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the administration of city programs and projects and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2217

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Clinton B. Wright for the sale of Parcel 231 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27 (REARYARD)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 2282

Report of the Committee on Engineering and Construction for March 6, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2171

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for New Construction Design and Land Acquisition; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2186

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, and providing for the purchase of equipment and materials in connection with the Rehabilitation of the Pittsburgh Zoo; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Briefly, on two separate issues. First of all, back on the video poker machines, item no. 2. Since I complained a couple of weeks ago, I

received a list from Building Inspection. Apparently there have been 34 citations issued in the last couple of weeks since I initially raised some concern.

My concern initially, if you remember, Mr. President, had to do with my position and that is that we should be out collecting the licensure fee of \$200 plus what is probably at least 1,500 machines around the City of Pittsburgh. I had said at the time that at least 300 or 400 of those machines were in my district alone.

I find it interesting that of the 34 citations, almost half of them are in Council District 7. It has been difficult to get a beer and a shot along Butler Street or Bloomfield for myself, and I'm sure they'll have signs up in the window saying, "Dump Ferlo". That's alright; I can take the heat.

My point, going back to the original argument, has to do with one unequal enforcement and secondly, a more rational approach. We're going to collect \$300 on instant citations. I think it would be more rational to go out and uniformly collect the licensure fee which I believe at this time is \$200. We would net close to \$300,000 in income for the City and my position, quite frankly, is that if the federal government is preoccupied and concerned about the illegality of the video poker machines, whether it be the IRS or the Treasury Department or anybody else, the U.S. Attorney, I think they should be the ones to bear the burden for enforcement and the collection of these machines rather than tapping our already strained police force, which I would rather see out doing more important things.

Returning to that issue, however, I would once again still like a communication to the Administration regarding this issue on the issue of whether or not we can indeed collect the licensure fee uniformly rather than expending great person hours on issuing unequal and

uniform citations which I think can be challenged in court anyway.

So, I would like some clarification. Once again I'm asking that.

I do want to point out, however, and I have communicated to the U.S. Attorney, I find it interesting that one place is very creative. This is at 1404 East Carson Street. It's a doorway. It doesn't even look like a store. My understanding is that there's 7 to 10 machines at that location and this gentleman who owns that has 4 other such locations along the Carson Street Corridor. Here's a \$10 free video poker machines. This says that if you have this card you can get in through the door and you'll even get \$10 to start playing with, free money.

I want to point out to Council that some of these machines don't just take dollar bills; I know the machines in Ron's Snack Shop in Bloomfield take \$20 bills as well as \$5 bills. So, we're talking about a lot of money, a lot of tax-free money, and I find it interesting that all of a sudden there's been this proliferation of these machines and, again, I'd like some uniformity and some clarity from the Administration regrading this issue.

On a second matter, Mr. Chairman. I've talked to Dr. Milliones and yourself. This is on a development idea, specifically in Dr. Milliones' district, the Strip District, but it's certainly an issue that I know you've spoken on in the past. I have been concerned about it and have been talking to some of the businesses, and quite frankly, I think we're all concerned about the viability of the Strip District, and that is the issue of parking.

Specifically I request, and I'd like to make a motion that we communicate and send a letter to the Administration and to Dr. Wallace of the School Board regarding the following, and that is: a very large warehouse building that has been

empty for up to five years that the School Board owns. It's at 21st and Liberty. You may remember the very large building that is next to our Fire Station down there. It would probably park 100 to 150 cars. It could probably have a much higher and better use, not only as a potential parking site for the Strip District, one or two floors. We could even give the air rights away, as Mr. Mistick has talked about in the past, and actually have a larger development. We can even have a larger development if we coordinate something with the School Board with our actual Fire Station facility.

What I'm basically asking is two-fold; one, that we communicate to the Mayor and to the URA and to the School Board regarding pro-actively putting together a development team to develop this site. My understanding is that the School Board will be acting on an action memo being presented to the Board later on this month, but that action memo says that they will just put it up to the highest bidder.

I'd like to see us be more pro-active. I think City government should enter into some type of cooperation agreement with the School Board. Since it's Dr. Milliones' district, he's a former School Board President, obviously I'd like to see and ask Mr. President to entertain forming a committee to begin to negotiate with the Administration and with the School Board on this issue. I would certainly like to be on such a committee.

Again, that's at 21st and Liberty. It's a significant development site. It would be an excellent parking facility. It's a half block from the heart of the Strip District and I'd like to make that in the form of a motion.

Mr. Cohen seconded the motion.

Michelle Madoff:

Discussion. I have no problem with an inquiry to find out what has been happening with URA, whether they've looked at the building. It seems like it's such a large edifice that at some point some decision or some prospects for that entity has been discussed. I'd like to know what the status is before we set up any committees.

Mr. Ferlo:

Just to clarify, the only status right now is the City has not been involved in this, unfortunately, and I think we should be involved in it and I think, obviously, the merchants in the community would like to see a pro-active plan dealing with, in any way, helping to address the parking situation.

The only movement so far, after five years, is that the director of the facilities management at the School Board, Mr. Prescar, is forwarding a memo to the School Board. Maybe Dr. Milliones can educate us on the process. But my understanding is that an action memo just directs the Board, gives the staff direction from the Board on what to proceed with the property, but that resolution to the Board is that they would put this site out to the highest bidder. I'd like to circumvent that by at least beginning a negotiation process with the School Board, the URA and all the appropriate officials.

The Chair:

Maybe we can have a response during the process of setting up a committee.

Michelle Madoff:

I don't have a problem. I think it's a very good suggestion. I just would like to find out what is going on before we move on these things.

Mr. Cohen:

I had a similar concern. I just don't know about this issue, Jim. Are there proposals on the table right now?

Mr. Ferlo:

No, the only proposal is, there are no proposals other than what I just said. The only proposal, the only action, the only movement to date is the staff person at the School Board who is responsible for the facilities is communicating to the School Board his desire to let out a bid. In other words, they will put out a public notice that the building is for sale and they would entertain bids from the private sector.

What I'm saying is, as part of that or even prior to that, I would like to see the City be involved through the Administration, through the URA, through Dr. Milliones and other interested parties, be involved in putting together some discussions with the City and the School Board regarding the site. There may, indeed, be a higher and better use for that site not only with parking but with other potential development ideas that should not require the School Board just putting it out to the highest bidder. It has a higher and better use and I think some people should be involved in this process and that's basically the intent of my resolution.

The Chair:

Okay, is there any more discussion on this?

All those in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ricciardi:

Mr. President, concerning Mr. Ferlo's

first issue of video machines throughout the City of Pittsburgh, I personally know that many establishments in the City of Pittsburgh have been cited from Dom Cimino including establishments along the East Carson Street corridor.

I would ask Mr. Ferlo if he has four additional addresses, if he could please forward them to Dom Cimino for possible citation.

Mr. Regan:

I would like to say this to my colleague. If he knows of anything illegal, I wish he would report it immediately to the Police and the Federal Government, the State, and whoever he thinks should have that information. I have requested from our Law Department information on the validity of these machines.

But as far as him getting all the citations in his district under the Third Amendment of the Constitution of the United States, that's called selected prosecution which you're not allowed to do. You can't pick out a person or a district and prosecute them. Everybody has to have equal treatment as far as the law.

So, Mr. Ferlo, I'm sure that under the Third Amendment that you're protected with your people if they're being improperly treated.

On another matter, and I always like to hear the golden voice of my colleague, Mr. Ferlo, I wouldn't miss a Council meeting just to hear him talk. He's terrific.

Mr. Ferlo:

There's only one citation in North Side and there's twenty in my district. I just want to point that out.

Mr. Regan:

There's not a lot of things illegally going on over in the North Side so I imagine that's illegal.

In another vein, I would like to thank — our two police officers who were killed in the line of duty — the Pittsburgh Police at both of those funerals really stood tall and made you proud to be a Pittsburgher. But as an elected official in the City of Pittsburgh, I would personally like to thank the municipalities who came and paid tribute to these two police officers. They came as far as Erie and they came as far as Washington, D.C. The Pennsylvania State Police put six cars in there and I'd like to personally thank them. The West Virginia State Police came in numbers and I would like to thank them.

I would also like to take my hat off to the Paramedics of the City of Pittsburgh. I think they did a fantastic job and my heart goes out to them. It's a tough job and they really, really make the City of Pittsburgh look good when they show up and I'd like to personally thank them.

The Chair:

Mr. Regan, if I may interject. Mr. Perry, maybe we could find out from Chief DeRoy what departments were part of that and send a thank you note from Council in regard to it.

Mr. Regan:

We might have all the Councilmembers sign that and show that for once in the City of Pittsburgh we voted 9-0.

The Chair:

I'd just like to add in regard to the accident that we still have two City of Pittsburgh Police Officers in the hospital, one of which is still in serious condition.

So, our prayers go out to those two individuals and those families.

Mr. Regan:

I'd like to also say that the City of Pittsburgh is going to have a ticker tape parade for the Desert Storm men and women when they come home. I would like to send out a personal invitation that we really get all the Vietnam Vets, men and women, and the Korean Vets, men and women, and we have one hell of a parade in the City of Pittsburgh because it's been long overdue that these people really get the tribute that they deserve.

I would personally like to march right with them. I was 4-F so I wasn't able to go, but I would like to march with those Vietnam Vets and Korean Vets to show them that the City is appreciative of what they've done and the Desert Storm Troops especially. They did a terrific job for us. Thank you.

Michelle Madoff moved to approve the Minutes of Tuesday, March 5, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of Mr. Milliones

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 12

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, March 19, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen presents

No. 2310 WHEREAS, three to five million children in the United States are in need of food and as many as eight to nine million are either hungry or at risk of hunger; and

WHEREAS, Just Harvest, a center for action against hunger, is participating in the National Campaign to End Childhood Hunger which will begin with a kick-off press conference next Tuesday, March 26; and

WHEREAS, the Campaign's objectives are to educate the public and policy makers about the extent and consequences of childhood hunger and means to alleviate it; and

WHEREAS, the Campaign advocates the expansion of local, state and federal policies and programs to attack childhood hunger and increase the access children and their families have to nourishing food; and

WHEREAS, the Campaign to End Childhood Hunger hopes to equip individuals and groups with skills and information about the fight against hunger, and to conduct research to document hunger problems and identify solutions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports and commends the efforts of

Just Harvest and their participation in the Campaign to End Childhood Hunger and declares March 26, 1991 "End Childhood Hunger Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Mr. President and Members of Council, I want to take this opportunity to congratulate Just Harvest on this very important initiative to end childhood hunger and I think Joni Rabinowitz is going to say a few words. We also have Ken Regal here and Ivy Iro, all from Just Harvest.

Ms. Rabinowitz:

Thank you, Dan. One correction; Ivy Iro is from the Greater Pittsburgh Community Food Bank which is one of about 50 organizations so far locally that have endorsed this campaign.

I want to thank you very much both for your support through this resolution and also for the contribution that City Council has made to a childhood hunger study that Just Harvest is planning to launch later this year. It will be a similar study to the ones that are being released next Tuesday, March 26, and our press conference announcing the release of that study will be at Carmalt School. I don't see Mr. Wagner here but I hope that he'll be able to -

Oh, there you are. I'm sorry, Jack. I hope Jack and whatever other ones of you wish to attend that press conference, the reason that we're going to be holding it at Carmalt School is that Carmalt does have a very successful school breakfast program and school breakfast is one of the policy areas that we're trying to expand

throughout the country in order to ensure that children have enough to eat and enough nourishing food in order to become full and productive citizens in our society.

Although the report that's going to be released next week, the numbers are very startling in this report as far as the millions of children in America that are hungry because their parents lack enough money to buy food, I think what we need to keep in mind is that the solutions to hunger and the solutions to childhood hunger are really very simple. It's not a complicated issue. We know what the answer is. The answer is that we need to put food on the table for these people.

The solutions are simply a matter of expanding the government programs which already exist and making sure that every eligible man, woman and child does have access to food stamps, to school meals programs, to summer feeding programs, to the WIC program which is for pregnant women and young babies, and the elderly feeding program. With these four or five nation programs expanded to include everybody who is eligible, we would be able to lick hunger in this country in just a couple of years.

In closing, I want to thank you again for your support, your continuing support. I feel confident that we will be able to call on you later when we go to Washington and Harrisburg to lobby for more money for these programs, and we know that you'll be behind us in this effort.

Again, we want to invite you to our press conference Tuesday morning at Carmalt School. It will start at 9:00. If you want to come and see what a school breakfast program for the kids is like, you can come and pay \$1 and buy your breakfast. They'll be happy to have you out there and, again, we want to thank you.

Mr. Regal:

I'd also like to extend my thanks to Members of Council for this morning's resolution. I'd like to invite Members of Council and the public to our annual membership meeting tomorrow evening. We have the privilege of presenting as a speaker at that meeting Dr. Gary Bass from O and B Watch in Washington. O and B Watch is one of the leading research and advocacy organizations in Washington working on issues related to federal budget priorities.

He's going to be here in Pittsburgh speaking at our meeting tomorrow night at the Friends Meeting House in Oakland. The meeting starts at 7:00 and we'll be done by 9:00. It will be, I think, a very exciting opportunity for us to hear a presentation about the effect that the federal budget debate is having on programs here in Pittsburgh and the impact that we can have on the federal budget debate in Washington. It's certainly something that affects both the public programs that come directly to low income people in the City and also affects City government as well on issues like the community services and Community Development Block Grants.

So, I certainly encourage you all to attend, once again, at 7:00 tomorrow night at the Friends Meeting House on Ellsworth Avenue in Oakland. Thanks.

Mr. Darkins:

Mrs. Twyman, would you please come forward, and you sister?

As you know, the month of March is set aside as Women's Month and this is one of our outstanding women here in the City of Pittsburgh.

Mr. Darkins presents

No. 2311 WHEREAS, Geneva M. Twyman has dedicated her talents and wisdom to the improvement of mankind for over 30 years; and

WHEREAS, Geneva M. Twyman is respected throughout Pennsylvania as a humble woman committed to serve when called upon, a woman who does not fear a challenge but one who stretches to reach above obstacles; and

WHEREAS, Geneva M. Twyman is a member of the Citizens Committee for Juvenile Court, President of the Chadwick Civic League, is listed in Who's Who in American Education, and is a Board Member of Princess Wilborne Sickle Cell Foundation; and

WHEREAS, former Governor Shapp appointed Geneva M. Twyman to the Pennsylvania Workers Compensation Board, being the first African American woman to hold such a prestigious post; and

WHEREAS, numerous community and civic organizations have recognize Mrs. Twyman's contributions to humanity, including YWCA's Women Who Make the Wheels Turn, and the George Washington Carver Award; and

WHEREAS, throughout the years, Mrs. Twyman has served in a volunteer capacity for many organizations including Vice President for Women in Crisis and on the Board of Directors of WQED; and

WHEREAS, Geneva M. Twyman is employed by the Pittsburgh Board of Public Education and is married to Arthur W. Twyman and is the mother of three children.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of

Pittsburgh hereby commends Mrs. Geneva M. Twyman for her unselfish deeds to mankind.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mrs. Twyman:

Councilman Darkins and Members of Council, Mr. Wagner, I would like to take this opportunity to thank you. And, as a resident of the City, and I consider myself living in the suburbs of East Liberty, I enjoy living and working in this City and I want to thank you for this honor. Thank you.

Mr. Darkins:

I would ask that the Homewood-Brushton group come forward, please.

Mr. Darkins presents

No. 2312 WHEREAS, through the efforts and dedication of the Homewood-Brushton Revitalization and Development Corporation, on Saturday, March 23, 1991 the Homewood-Brushton Farmers Market will officially open for business; and

WHEREAS, the Homewood-Brushton Farmers Market will celebrate its grand opening with a ribbon cutting ceremony on March 22, 1991 at 11:00 a.m.; and

WHEREAS, the Homewood-Brushton Farmers Market is the only indoor market in the City of Pittsburgh; and

WHEREAS, the Farmers Market will offer an assortment of farm fresh produce, fish and poultry, and a variety of specialty items; and

WHEREAS, the Farmers Market will be open six days a week, providing 6,500 square feet of shopping space; and

WHEREAS, the Farmers Market is conveniently located in the newly renovated former U.S. Post Office Building on Hamilton Avenue; and

WHEREAS, the Farmers Market will allow the community to experience economic vitality by providing employment opportunities and a means for dollars to remain in the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh praises the Homewood-Brushton Revitalization and Development Corporation Board of Directors, its Executive Director Mulugetta Birru and Project Manager Siddhi Shonibare for grasping hold of a vision and bringing it to a reality; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh encourages all residents to patronize the Homewood-Brushton Farmers Market.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have a very lovely lady from our area named Pam Brown who is going to receive this resolution and will be speaking for the entire organization.

Ms. Brown:

President Wagner, Councilman Darkins, City Council and guests, first of all I'd like to thank the City Council for this most prestigious resolution on behalf of the Homewood-Brushton Revitalization and Development Corporation Board of Directors, on behalf of Mulugetta Birru and the staff, and on behalf of the Homewood community.

We appreciate the support from City Council, both past, present and future, we hope. We also would like to invite you out to the grand opening which is on Friday, March 22nd at 11:00 until 1:00. And also on Saturday, March 23rd, we're going to have some events there.

I'd like to have Siddhi Shonibare come up and just give you some brief comments about that but, again, thank you for this resolution.

Ms. Shonibare:

President Wagner, Councilman Darkins, I'd like to thank you for the honor and recognition of HBRDC's efforts to revitalize the Homewood-Brushton community and to remind you that this is an example of the fact that public and private partnerships work.

The efforts that we have made with the Farmers Market are representative of what happens when the public sector and the private sector join hands to identify resources in the community. It turns those resources back to the community residents and it converts those projects to viable projects that speak to the needs of the community.

So, we would like to welcome you to the grand opening of the Farmers Market which is on March 22nd at 11:00 and to come out and see their way of food products that we have and the convenience that the Farmers Market will

represent to the community. Thank you very much.

Ms. Brown:

I'd also like to thank Councilman Darkins for, again, bringing together community and Council in this effort. This makes your job easier, I'm sure, and it makes our job easier.

Also, I'd like to thank my colleague for accompanying me to this beautiful event. Thank you.

Mr. Darkins:

Mr. President, I would be remiss seriously, Councilmembers, if Birru didn't have something to say. This man, if every Councilman had someone like Mulugetta Birru in your Council district to work with and to bring community back and the things that have happened in the Homewood-Brushton area, and it's all because we've all gotten behind him and he has done a fantastic job. And when you see that Farmers Market on Hamilton Avenue, they will be coming from everywhere in this City to shop here, believe me. But I want Birru to have something to say.

Mr. Birru:

Councilman Darkins, first of all I would like to really commend you for all the efforts you've done in the Homewood-Brushton area. I think the fruits of district elections have proven to be helpful for Homewood. Reverend Darkins has brought us all close to City Hall. This place has been a very, very intimidating place in the past and now we feel at home and we're very, very pleased with the actions of City Council and I thank you very much.

Mr. Millions:

Would Mr. Terry O'horo come forward, please?

Mr. Millions presents

No. 2313 WHEREAS, since 1940 the American Diabetes Association, an organization comprised of diabetics, health professionals and other concerned individuals, has worked to prevent and cure diabetes and to improve the lives of people affected by it; and

WHEREAS, diabetes is the third leading cause of death in the United States, with complications including blindness, kidney and heart disease, amputations and birth defects; and

WHEREAS, on Tuesday, March 19, 1991, the American Diabetes Association will sponsor the American Diabetes Alert, a nationwide program designed to find the millions of Americans who are at risk for diabetes, or who have the disease and do not know it; and

WHEREAS, in understanding the problems of minorities with diabetes, the American Diabetes Association has formed a Task Force on Minority Initiatives to see that new programs for the public and professionals are available to get quality health care to all those who need it; and

WHEREAS, the American Diabetes Association of Allegheny County will sponsor a special program for professionals who work with the African-American community, who are twice as likely to develop diabetes, the goal of the program being to inform and generate interest in finding the more than 4,000 African-Americans in this county who have the disease and do not know it.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh hereby pays tribute to the Allegheny County Chapter of the American Diabetes Association for their relentless involvement in fundraising, research and education in the fight against the equal opportunity disease of diabetes.

Mr. Millions moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Millions:

I'd like Mr. Terry O'Horo to come forward. He is the President of the Allegheny County American Diabetes Association.

Mr. O'Horo:

Thank you, Councilman Millions. Thank you, President Wagner and other Members of City Council.

As Councilman Millions has said, diabetes is the third largest killer in this country. Unfortunately, a lot of people don't realize that because, unlike cancer or heart or some of the other diseases which are very visible to the eye, diabetes is called the silent killer because you really don't realize it's really bad until you get into the later stages of it. And unless it's properly treated, it can create an awful lot of complications, heart, kidney problems, eyes, circulatory problems and so forth. So, it's a difficult disease to combat.

We really have two objectives. One is to help educate the public about the risk of diabetes, and we have a lot of information to try to help inform people whether they're at risk, and if they're at risk they obviously should seek help from their physicians, preferably an endocrinologist. They're the folks that really

know about it the best.

The other objective is to raise funds to combat this killer to find a cure. Through the efforts of Councilman Milliones, Jim Henry from Hill House, and other leaders of the Afro-American community, we're going to conduct this program on April 2nd at the Hill House because the incidence of diabetes among Afro-Americans is much higher than the rest of the population.

So, we're real excited about this and hopefully it will lead to a much greater involvement with everybody in Allegheny County to increase the awareness and to help people better maintain their lives. And, of course, the ultimate goal is to find a cure so that some day there's no need for Terry O'Horo or anybody else to be standing here talking about something called diabetes. Thank you.

Mr. Regan:

We have another terrible problem in our country, and it comes under the heading of lead poisoning. It affects a lot of people, especially a lot of poor people, and especially young, poor, African-Americans.

I'd like to have one of the foremost doctors in the world on lead poisoning, Dr. Needleman, to please come forward to receive this resolution.

Mr. Regan presents

No. 2314 WHEREAS, our fellow citizen, Herbert L. Needleman, M.D., an esteemed Pediatrician and Psychiatrist who serves on the faculty of the School of Medicine of the University of Pittsburgh, has devoted much of his professional life to scientific and clinical research into the dangers posed by the presence of lead in our environment and the effects that

such lead has on persons who are exposed thereto, especially infants and children of tender years; and

WHEREAS, Herbert L. Needleman, M.D. and his colleagues have determined that continued exposure to lead in our environment can affect the central nervous system of the exposed person, and thereby lead to neurological deficiencies and learning disabilities with potential long-term effects; and

WHEREAS, Herbert L. Needleman, M.D. has made his research and findings available to the scientific community, medical profession, government agencies and the public at large through his authorship of numerous articles and publications and his participation in studies and seminars throughout the world; and

WHEREAS, the health, welfare and safety of persons everywhere has been materially enhanced by the research and findings of Herbert L. Needleman, M.D. for his enhancement of our collective well-being.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends its heartfelt gratitude to Dr. Needleman and proclaims Tuesday, March 19, 1991 as "Herbert L. Needleman, M.D. Day" in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Regan:

Doctor, you see, we do agree on something down here.

I'd like to have you say a few words. We're honored to have you here. I'd like to present you with this proclamation.

Dr. Needleman:

Councilman Regan, Mr. President and Members of Council, thank you very much for this recognition. I hope it will ignite the City of Pittsburgh in doing something effective about what many people believe is the most serious disease of childhood.

Administrator Reilly of the EPA, under Secretary of Health James Mason, agree that this is the most serious disease. It is also completely preventable. Completely preventable, not reducable. It can be wiped out in a decade. As a matter of fact, Secretary of Health Mason has launched a plan to do that.

This is also an equal opportunity disease. Seventeen percent of all American children, one child in six, rich, poor, black or white, suffers from excess levels of lead in their body.

My work and many other people's work has shown that this is associated with school failure, lower I.Q., attention deficit disorder, reading disabilities. It is probably the most common preventable cause of learning disabilities.

For poor, inner-city minorities, the rate is 55 percent. Over half of Afro-American children in poverty begin their school years with this handicapping condition. Totally preventable.

The major source of lead poisoning is paint. There are 2 million houses in this country which have peeling paint in which children live. And every one of those children is at severe risk for brain damage.

This is a \$10 billion package, but in the

process, because this excess of lead exists in the same place where there's a shortage of jobs, people who want jobs, who need jobs, can be put to work. And the same health dollar can reduce unemployment, return houses to decency, and wipe out this disease.

I hope that the City of Pittsburgh which has not been doing an effective job in this, nor has the County of Allegheny, will take this as a stimulus to go forward. I thank you very much for this opportunity.

Michelle Madoff:

Doctor, I have been working on that issue since 1969 and I know exactly what you're talking about. It was a problem then. The then-President of GASP's child came down, upper mobile, suburban child, came down with lead poisoning. They tested his hair and found that through the hair they could find the lead.

I'm just curious because I haven't kept abreast of it, aren't we controlling the paint that is put in houses, that it's lead-free? And what is it that we can do? You said you hoped that we'd get active. I would imagine that the City falls under the Allegheny County Board of Health surveillance.

Dr. Needleman:

I think the County Health Department is responsible for it, but this is also an urban problem. The City has its own opportunities to improve housing.

In 1972 the Lead Paint Poisoning Prevention Act was passed. That barred the use of lead in new household paint. But there are 30 million houses which were built and painted before 1950 in this country. And there are 2 million houses in which the paint is peeling and children live. That's an unconscionable

circumstance.

Michelle Madoff:

What can we do, specifically?

Dr. Needleman:

I think we could begin to develop pilot programs to train unemployed people in safety leading. It's a very dangerous job. But we could put people back to work in safety leading and attack initially these places where children are living.

Assistant Secretary Mason recognizes this and has launched this strategic plan. It's going to take a great deal of money. We're talking about billions of dollars federally, but I think local initiatives can begin to show that this is feasible.

The Chair:

Doctor, are there any other causes besides lead paint?

Dr. Needleman:

Paint is responsible for the most. In some cases the water supply may be hazardous, but that's small. Cans in this country, there's only 5 percent which have soldered seams now. Ceramic ware from foreign countries is dangerous and should not be used.

Mr. Ferlo:

Since we're briefly discussing this issue, first of all, the Housing Authority Board has initiated a fairly aggressive program dealing with lead based paint, removal and/or encapsulation.

I do want to point out, since this is a critical problem that the Doctor has illustrated

today and I wanted your response, very similar to the legal battles that ensued around the presence of asbestos, there is a legal action being taken by the City of Philadelphia being joined by the Philadelphia Housing Authority. I've asked the City Solicitor to review that legal document and possibly have the City act as a friend of the court brief and that is the argument that lead based paint producers and companies were knowledgeable, indeed, of the hazards of lead since the early 1930s. That's the subject of that law suit. I don't know if you have any response to that. Obviously, you mentioned the tremendous cost associated with removal and/or encapsulation, and that's something I'd like to see the City pursue also.

Dr. Needleman:

There are a number of cities who are reaching through the landlord to the paint companies because there is documentary evidence that the paint companies knew in the 1910s and 1920s that lead paint was dangerous to children's brains and persisted in obscuring that and promoting lead paint.

Our Lead Paint Poisoning Bill was passed 50 years after the same bill was passed in Australia. I'm a witness in the Boston case which was the first.

I think this is a meritorious, sound project and I think the City ought to investigate it.

Michelle Madoff:

Do you have copies of that litigation for us?

Dr. Needleman:

I can get them for you.

Michelle Madoff:

I'd appreciate it. We'd all appreciate it.
Thank you.

Dr. Needleman:

Sure.

The Chair:

Thank you, Doctor, very much.

Mr. Regan:

I'm going to ask for a post agenda meeting on this and I'd like my two colleagues, Michelle and Mr. Ferlo, since you seem to know a lot more about it than I do, I'd like you to be at that post agenda meeting.

Since it's National Women's Month, you know, we have a lot of outstanding women in the United States but especially in the City of Pittsburgh.

I would like to have Dr. Mary Ann Davis and her family come up here, please. She's a dentist and she probably has the biggest pool in the North Side.

Mr. Regan presents

No. 2315 WHEREAS, after graduating in 1960 from St. Benedict's Academy, Dr. Mary Ann Davis said, "Women either become teachers, nurses or nuns.". Dr. Davis began her career by attending Ohio Valley Hospital and becoming a registered nurse, a wife and mother; and

WHEREAS, in 1970 Dr. Davis was a single parent who enrolled at Slippery Rock State College, graduating in 1973 with a Bachelor of Science Degree; and

WHEREAS, during this time, Dr. Davis was introduced to a friend who was a dentist, and was encouraged to pursue a field in dentistry. At the age of thirty, Dr. Davis entered the University of Pittsburgh School of Dental Medicine and received her DMD Degree in 1978, opening her first practice on the North Side at Brighton Road, and shortly working at four other locations. Dr. Davis and her partner, Dr. Sharon Davis, devoted numerous hours to working with handicapped, retarded and just plain scared people; and

WHEREAS, Dr. Davis has served on the Board for the Association of Retarded citizens, was Secretary of the American Association of Women Dentists and President of Chartiers Valley Dental Society, and is presently President-Elect of the Pennsylvania Dental Society of Anesthesia; and

WHEREAS, Dr. Davis is the daughter of Helen Rauch, sister of Carl Rauch and Kathleen David, mother of Michele, and wife of Bill King.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends best wishes to Dr. Davis during National Women's Month and proclaims Tuesday, March 19, 1991 as "Mary Ann Davis Day" in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Dr. Davis:

Councilman Regan, Mr. President and other Members of Council, thank you very much for this honor.

I really don't have that much spectacular to say. I feel that what I've done could be done by almost anyone with a little hard work. That's what I'd just really like to let other women know, that they can do it because back in that era we didn't know that. And it was with a lot of help from my friends and family that I did get where I am now.

I'm very proud of the City of Pittsburgh and I'm really happy to be part of it and I just hope that I can live up to Baldy's expectations. Thank you very much.

Mr. Regan:

You know, when you get a lady up here that's a big shot or of prominence, it's funny how I looked around the room and saw all the ladies smiling with a big smile. That's one of our guys, one of our ladies up there.

But it really is nice to see. I know when the Mayor shows up, the women, they just light up, and I think it's awfully nice to see.

Doctor, I want to give you this proclamation. I made enough for your famous mother and your secretary and your brother, Carl, and your husband, Bill came. Good luck to you. Good luck to all those ladies in the United States, especially Pittsburgh.

Mr. Coyne, Mr. Regan and Mr. Wagner present

No. 2316 WHEREAS, on Sunday, March 17, 1991 the Knights of Equity Court No. 9 and the Daughters of Erin will celebrate their annual St. Patrick's Day Banquet and Dance at the Station Square Sheraton; and

WHEREAS, the Knights of Equity was founded in 1895 for the spiritual, material and social development of Catholic Irish-Americans,

the teaching of Irish history and culture, and the defense of the cause of freedom of the people of Ireland; and

WHEREAS, today members of the Knights of Equity and Daughters of Erin constitute a vast and energetic society, directing their efforts toward mutual assistance, helping the church, working for the cause of liberty for Ireland, and denouncing discrimination in all its hateful forms.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby extends its sincere best wishes for the success of the St. Patrick's Day Banquet and Dance; and

BE IT FURTHER RESOLVED, that the Council extends its gratitude and appreciation to the Knights of Equity Court No. 9 and the Daughters of Erin, and all persons participating in the week's festivities.

Mr. Coyne moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 2290 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Preventive Maintenance on Various Bridges, including but not limited to Davis Avenue Bridge (Council District #1), Herron Avenue Bridge (Council District #7), and Edgerbrook Avenue Bridge (Council District #4), at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC91-512.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 2291 Resolution providing for an Agreement or Agreements with Bell of Pennsylvania for the purchase of REACT subscriber terminal units and for termination charges for the REACT Fire Alarm System in an amount not to exceed \$110,500.00, chargeable to and payable from Code Account 1132-2, Telephone Service and Equipment, Department of General Services.

Also,

No. 2292 Resolution providing for the letting of a Contract or Contracts and/or an Agreement or Agreements or for the use of existing Contract(s) or Agreement(s), for the transfer of the City's REACT Fire Alarm System service to a private agency and providing for the deposit of all funds received from the transfer into the Telephone Services Trust Fund.

Also,

No. 2293 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Telephone Services Trust Fund, for the deposit of monies received from the transfer of the City's REACT Fire Alarm System Service to a private agency, and authorizing the funds deposited therein for use by the Department of General Services for payment of expenditures relating the Citywide telephone services.

Which were severally read and referred to the Committee on General Services.

Mr. Darkins presented

No. 2294 Resolution granting unto Timber Court Partners, 228 Isabella Street, their successors and assigns the privilege and license

to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the right-of-way of Birn Way in the 22nd Ward, 6th District of the City of Pittsburgh. This request is made by Timber Court Partners because a handicap ramp is required to get handicapped persons in and out of their building.

Also,

No. 2295 Resolution granting unto John M. Bell, 383 Lehigh Street, his successors and assigns the privilege and license to construct, maintain and use at his own cost and expense, a wall on a portion of the sidewalk of Lehigh Street in the 7th Ward, 8th District of the City of Pittsburgh. This request is made by Mr. Bell that when the wall was constructed, it was inadvertently constructed on the road right-of-way. The encroachment is needed to gain a clear title. A check for \$125.00 has been presented to cover the cost of advertising this proposed resolution.

Also,

No. 2296 Resolution vacating Tangent Way from Putnam Street northwestwardly 114.333 feet to a point by 20 feet in the 12th Ward, Council District No. 9, City of Pittsburgh. The petitioners, Pittsburgh Crankshaft Service Inc., P.O. Box 5256, 515 Hamilton Avenue, Pgh., PA 15206 have requested this vacation for expansion purposes. The Department of Finance is recommending a fee of \$14,000.00 be charged for the vacation. In receipt of opposition for the vacation a hearing is required.

Also,

No. 2297 Resolution vacating Butterfield Way between Eloise Street and Brim Way in the 22nd Ward, Council District No. 1, City of Pittsburgh. The petitioner, Henry E. Beal has requested this vacation for expansion

purposes. The Department of Finance is recommending a fee of \$4,000.00 be charged for the vacation.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2298 Resolution authorizing the URA of Pgh. to transfer \$1,260,000.00 in Neighborhood Development Program Funds to the Western Restoration Project.

Also,

No. 2299 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Western Manor, Inc. for the sale of Parcel A - Western Restoration Project in the 5th Ward of the City of Pittsburgh, for the sum of \$75,000.00.

Also,

No. 2300 Resolution authorizing the URA of Pgh. to acquire that property in the 5th and 6th Wards of the City of Pgh. owned by the Commonwealth of Pa., Dept. of General Services, and designated as Block 25-S, Lots 112, 156, 104 and 98 in the Deed Registry Office of Allegheny County, for the sum of \$212,500.00.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Milliones presented

No. 2301 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$5,167.49 to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year 1983 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 2302 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$2,615.95 to the Commonwealth of Pa., representing the final payment required for unclaimed funds for the year 1982 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Which were read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Regan presented

No. 2303 Resolution authorizing an Agreement or Agreements or the use of existing Agreement(s) for professional services to

conduct training classes for candidates interested in becoming Paramedics in the Department of Public Safety, at a cost not to exceed \$19,200.00, chargeable to and payable from Code Account 1401, Misc. Services, Department of Public Safety.

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 2304 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of Securities pledged as collateral by City Depositories as of October 31, 1990.

Also,

No. 2305 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of Securities pledged as collateral by City Depositories as of November 30, 1990.

Also,

No. 2306 Communication from Michael Sorochak, Chief Financial Officer, David L. Lawrence Convention/Exposition Center, submitting the current list of employees and their salaries.

Which were severally read, received and filed.

UNFINISHED BUSINESS

Mr. Ferlo:

I don't know if this falls under this but just very briefly. Since the budget proceedings and three times since, we have asked for information from the Administration regarding the Indirect

Cost Recovery Program regarding the large events being hosted by the City, the Marathon, the Arts Festival, the Grand Prix, the Regatta, etc. We have yet to receive any of that information.

The Chair:

I would ask the City Clerk to again, in writing, remind the Mayor's Office that we have requested this information several times and we would like it as soon as possible because these events will be beginning very soon.

Mr. Ferlo:

Thank you, Mr. President.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2307

Report of the Committee on Finance for March 13, 1991 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2218

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article XI - Personnel, by adding a new subsection relative to solicitation of contributions for political campaigns."
---(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

On Bill 2218 which addresses my legislation to control the amounts of dollars that employees can give to their immediate bosses.

We all know that the appropriate agency should be enforcing the laws against improper and abusive fundraising by political officials. When one looks at the outrageous dollars contributed from employees, the total as much as \$3,482 over a five year period, some control is better than none.

Certainly we know that ideally we should also curb contributions by immediate family and employees as well. However, even as limited as my legislation has become, it will offer some protection to employees who are making contributions to employers under duress.

In 1987 I presented a floor motion to City Council to make a moral and ethical statement by not allowing City employees to make political contributions and that Members of Council would voluntarily refuse to solicit political contributions by any City employee. That's in 1987.

Again in 1989, I again introduced a floor motion to restrict political activities. Once more in 1991, I'm making another attempt.

With the passage of this legislation, contributions will be restricted to no more than \$100 or \$200 a year, depending on job classification.

I believe that crumbs are better than nothing to protect those that may not be in a position to protect themselves.

I have been chastised for letting the bill get watered down, but you know, if you're an employee giving \$3,400, you're better off not

having to give more than perhaps \$25 a year.

I was, indeed, inspired to make an attempt to protect City employees by the appearance of macing that has occurred throughout the City. I have been accused that it is a political activity. Well, yes, it is political. It's what one politician may do and what I would never dream of doing. And I don't believe that my colleagues would do it either because I've talked to all of them. Every one of you have told me that you have not received contributions from City employees.

Of course, this legislation should not be necessary and hopefully the Ethics Commission will take its role seriously and look into possible violations. And, of course, we're now going to have the new commission appointed by the Mayor and that would be another avenue to protect those who may give because they feel they have no alternative.

I urge my colleagues who have not voted for the bill in the preliminary stage to at least give some protection, some meager protection, by controlling the amounts of money that employees can give. I urge you to vote for the bill.

Mr. Ferlo:

I'd like my comments brought forward, Mr. President.

Mr. Cohen:

I'd like my comments brought forward, Mr. President.

Mr. Regan:

I'd like my comments brought forward, too, Mr. President.

The Chair:

I would also.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2218 - Wednesday, 3/13/91)

Mr. Ferlo:

Mr. Chairman, however well-intentioned this bill supposedly attempts to be, I feel very strongly, as I expressed several weeks ago, that this bill is, one, unenforceable, two, politically naive, and more importantly it is counter-productive. It is unenforceable because the way the bill is written, the reality is that individual employees would have the prerogative and certainly the capability to give that contribution in another form and not specifically in their name. I think it is naive to assume that that is not going to be the case in the future should we act on this.

It is counter-productive because, in fact, I think what is going to happen is we are going to create actually a support form; in other words, we are actually going to put our stamp of approval on what I think will amount to a quota system, and that is the indication to the employees from supervisors, from politically connected employees, whomever, be they working for Councilmembers, Controller, Mayor, or any other elected officials in this city. I think if anything, it is going to create an atmosphere where, "That's okay. You have to give at least \$100.00," and if anything I think it is going to be counter-productive.

The basic issue is macing is illegal. All the things that we are concerned about that people are using mixing apples and oranges here are, in fact, already expressed in law. Macing is illegal, it is contemptable, illegal, and we should put a stop to it. And there are specific ways for employees to deal with any harassment on the job, be it being forced to contribute, hitting people up for tickets or anything of the sort, there are local laws with our own State Ethics Act, our own local municipal Ethics Act, there are federal laws all dealing with this subject matter.

Fundamentally, on two other issues I believe strongly that this is a violation of First Amendment rights of an employee. Be they public sector or private sector, I think they have a right to contribute, to be an advocate and do what they want with their own money.

Thirdly, in terms of a legal issue, I do believe strongly this is a violation of collective bargaining agreement with employees in the city, and I am sure they will expression themselves in this manner in the future.

(Deleted text.)

Mr. Ferlo:

I think it is important not to mix apples and oranges. If somebody at the higher level, be they a political operative in the Administration on Council or in the Controller's office is shaking people down, it is not any less illegal to shake them down for the \$100.00 or \$200.00 that is allowed in Mr. Cohen's

and Miss Madoff's bill, anymore than it would be for a larger contribution.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

(MR. COHEN'S COMMENTS ON BILL NO. 2218 - Wednesday, 3/13/91)

Mr. Cohen:

Mr. Chairman, rather than get to personalities, why don't I discuss what this substitute bill is?

Let me begin by saying the purpose is to protect city employees from having to make involuntary contributions. We have to be careful, though, to target only those situations where involuntary contributions would occur. So what this substitute bill does is narrow somewhat Councilwoman Madoff's original bill by restricting campaign contributions from employees to employers. It targets, really, the cart of the potential problem where pressure, whether it be subtle or not subtle, can take place. That situation is where the employee is pressured into contributing to his or her boss.

This bill follows federal law in which the federal government now does prohibit its employees from contributing to the campaigns of their supervisors or their bosses, and it uses the same operative language as the federal law. Whenever an employee contributes to his or her boss, in my view there is at least a suspicion that the contribution is not voluntary. I think that if an employee wants to contribute to his boss, he should do well on the job. What this amendment does is it allows employees to contribute something, \$100.00 to be specific, during any consecutive four year period to any political campaign of his or her employer or employing authority, but it does not allow employees to be pressured into giving large amounts of money.

Specifically, the amendment defines the terms "employer" or "employing authority," and you can see it, it allows \$100.00, it defines "employer" and "employing authority." And I believe it is a bill that we should all support.

(Deleted text.)

Mr. Cohen:

Let me respond to a couple things. One is the point that there is an anti-macing statute. There is a state anti-macing statute, but it is weak and has not worked. What it says is it prohibits an explicit demand, it actually has to be a demand for money. I think that if anyone is naive here, it is naive to think that bosses can't put more subtle pressures on their employees for money. Everybody knows that has happened.

With respect to First Amendment rights, I think we have carved this very closely so that we make sure it doesn't prohibit a person of their rights. It has been upheld by

federal court.

I have to tell you, I talked to several city employees about this bill and none of them mentioned their First Amendment rights. What they said was they liked it because they don't want to be shaken down for money, and that is what it comes down to. Your boss shouldn't be asking you for money for his campaign. People's bosses get their time and their energy from their employees, they shouldn't be getting their money, too.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

(MR. REGAN'S COMMENTS ON BILL NO. 2218 - Wednesday, 3/13/91)

Mr. Regan:

I wasn't sure what, under the Constitution of the United States, what this came under, Councilman Ferlo, but as far as I am concerned, it comes under the limousine liberal act. Once they got their big load in for everything and everybody, they become great liberals once they got their money. I think it is nothing more than trying to stop a candidate from getting some necessary funds to run for office.

We see, recently, candidates spend hundreds of thousands of dollars to get elected. Where the hell does the little guy get a chance to get elected? Where does the little guy get a chance to get started in government? Where does the poor guy get an opportunity, that doesn't live in a nice big house in a nice big neighborhood, that doesn't have the heavy hitters as friends? Where does he get a chance to be an American citizen? Where does he get a chance to get a little piece of the apple?

I call it nothing more than limousine liberals trying to stop somebody, a candidate, from getting necessary funds to run for office. If there is anything at all to have to do with macing, he should go to jail. But don't pick on the little guys, give them a shot in this country.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

(MR. WAGNER'S COMMENTS ON BILL NO. 2218 - Wednesday, 3/13/91)

Mr. Wagner:

Thank you, Mr. Chairman, members of Council. The original bill in front of us I did not support, and I told the sponsor I did not support it. The proposed amendment, if it is legal I will support it, and we have not yet received a legal opinion on this amendment. And if we vote on it today, I am requesting that the Solicitor prior to final vote provide that amendment.

The difference between the two bills and the reason why I would support this bill if it is legal is that it is not as broad-based and as pointed as the previous bill. Truly, it takes off the hook people working directly for someone, but still permits the people that work within the same frame of government to support people running for office within that government. It also gives limitations as to how that support can be. The best example I can give is Mike Perry would not be committed to support any one of us to any great degree simply because he is the City Clerk. I think that is good, I think that has some merit. However, if someone working in some other division of this government, whether it be the Executive Branch or Controller's Branch of government wants to see us remain on Council, there are no strings attached, and they can support us in whatever way they want to support us, financially or otherwise.

So because this amendment is not as broad-based as the original proposal, I will support it if it is legal.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 5 NOES 4

VOTING NO:

Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2219

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of Six Hundred Thirty-two Dollars and Twenty Cents (\$632.20), without previous authority of law, for payment to 3M for the service and labor to the 260 BGL/BGM machine and for the purchase of two 7 Film Roller Assembly."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2234

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mr. Jeffrey Thomas, 127 Richey Avenue, Pittsburgh, PA 15214, in the amount of \$1,000.00, in payment for professional services, rendered to Councilman Duane A. Darkins for the month of February, 1991." ---**(SPONSORED BY MR. DARKINS)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Also,

Bill No. 2238

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the design and implementation of City-wide training programs for City employees and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2239

A Resolution entitled, "Resolution providing for a professional services agreement or agreements for the provision of training City employees in the use of personal computers and personal

computer software packages at a cost not to exceed thirty-five thousand dollars (\$35,000), payable from Code Account 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2240

A Resolution entitled, "Resolution providing for an Agreement or Agreements or for the use of existing Agreements with a Consultant or Consultants for a mixed media package in connection with the fair housing assistance program of HUD, and providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2241

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Harrington, Inc., 2630 West 21st Street, Erie, PA 16506, in the amount of \$3,601.48 in payment for hose fittings and materials for the repair of damaged hose for the benefit of the City, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2242

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 6927 Perrysville Avenue, Pittsburgh, PA 15202-1825, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of March 1991."
---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
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The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2309

Report of the Committee on Planning, Housing and Development for March 13, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2243

A Resolution entitled, "Resolution amending Resolution No. 1111, approved October 23, 1990 entitled 'Providing for an Agreement or Agreements with the Airport Area Advisory Commission, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account

1103 (110304) Miscellaneous Services, Department of City Planning,' by deleting the name Airport Area Advisory Commission, and adding the name Penn South West Association."
—(SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 1960

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(26) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to St. Margaret's Memorial Hospital for authorization to operate a Helistop on their hospital campus, 12th Ward.

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 1960, this is on the Conditional Use Exception for St. Margaret's Hospital, in order to have an approved helistop, a helistop which they have been operating, I believe, in good faith for the last several years. Unfortunately, operating that for the last several years has required the presence of a fire truck, a pumper truck, and the resources of the City Fire Department, each and every time that one of the 32 flights has taken off or come to the hospital property. That certainly is not a good situation.

I think Council did a good job in reviewing all the particular evidence and information regarding this Conditional Use Exception. I think every case that comes before us regarding a helistop or heliport or a helicopter service is particular and peculiar to that particular hospital or that neighborhood and I think each and every time we need to really critique our own ordinance as it applies to the approval process as

well as invite public testimony.

There was only one really significant opposition in this case, and that was from a residential property owner on Delafield Road in the Borough of Aspinwall. I think Council's review and dialogue with Mr. Brown, the Zoning Administrator, will provide that the City will try to seek out a secondary path approval from the appropriate State agencies.

I think also that it's important for us to note that there will be, and there is in the ordinance, a provision for an annual review of each and every Conditional Use Exception. So, if there's some significant straying from the original intended use, that's a vehicle by which Building Inspection can actually recall the approval that we'll hopefully give today.

Evidence suggests that there were only 32 flights in the last 2-1/2 years. St. Margaret's indicated that they are not a trauma center but that the patients will come to the emergency room there over vehicular ambulance and only using the helicopter service to go to Allegheny General or West Penn or possibly the Burn Unit, West Penn or Children's Hospital.

So, I think given all the information that has been presented, I would hope that we would approve the Conditional Use Exception.

Mr. Cohen:

I agree with Councilman Ferlo and I would like my comments brought forward on the same bill.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 1960 - Wednesday, 3/13/91)

Mr. Cohen:

Mr. Brown, about that secondary flight path you talked to us about before, you gave us kind of a reasonable assurance from this Mr. Redman, which I think is fine. How often is the secondary -- when and how often is the secondary path used? I think it is called "approach/departure path."

Mr. Brown:

Only as weather conditions that are so severe that the pilot has to use that secondary path. And based on the nature of their operations, if the weather is that severe, they won't fly the helicopter in. You recall at the hearing that there were several times when helicopters refused to fly in because of severe weather conditions.

Mr. Cohen:

Based on your experience, can you give me a ballpark figure of a percentage of times they would use the secondary path, say, based on other hospitals, or is that hard to do?

Mr. Brown:

Based on the nature of the operations here, I think the secondary path would only be used no more than 10 percent of the time. That is based on their nature of operations. Allegheny General or Mercy flight patterns would be different than this. They are flying emergency cases in to the hospital, which is a totally different type of operation. The percentage would be quite different.

Mr. Cohen:

St. Margaret's would not be bringing patients in to the hospital by helicopter?

Mr. Brown:

That's correct. They only bring in by vehicular ambulance.

Mr. Cohen:

They are using it to take them out; right?

Mr. Brown:

Right, on a limited basis, only when they cannot further provide treatment.

Mr. Cohen:

I am going to be voting for this. Shadyside Hosptital has been mentioned a couple times at the table. I want to make clear that I see this petition from St. Margaret's as being very different from Shadyside's petition, which I plan to oppose.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Mr. Darkins:

I'm very much in favor of this helicopter port here because, after all, it points out the most serious thing in nature to St. Margaret's Hospital - it's all about saving a life.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Mr. Milliones
Mr. Regan

Mr. Darkins
Mr. Ferlo

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Cohen moved to approve the Minutes of Tuesday, March 12, 1991.

Mr. Milliones seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Coyne**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, March 26, 1991

No. 13

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, March 26, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

Would Attorney William King come forward, please, and members of the Golden Star Lodge #143.

Mr. Darkins presents

No. 2347 WHEREAS, on Saturday, March 30, 1991, Golden Star Lodge, No. 143, P.H. & A. will honor eight African American women at their first annual Ashlar Award Dinner; and

WHEREAS, the Ashlar Award was established by Golden Star Lodge, No. 143, P.H. & A. to demonstrate and emphasize the deep love, appreciation and respect that they have for the African American women who unconditionally support African American mankind with her faithfulness and visions for tomorrow; and

WHEREAS, the 1991 Honorees represent women who have exhibited outstanding qualities in their chosen career and they are: Kimberly Calhoun, Athletic; Willa McKay, Religion; Coretta Ogburn, Community Activity; Lynn Hayes Freeland, Media; Doris Carson-Williams, politics; Sara Trower-Martin, Business; Dr. Mary Lou Stone, Education; and Nellie Cathy, Fraternal Affiliation.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh applauds Golden Star Lodge, No. 143, P.H. & A. for recognizing the bountiful contributions that African American women make to the well-being of mankind.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have members here today from the Golden Star Lodge, No. 143, P.H. & A. and Attorney William King is accepting the resolution.

Mr. King:

As Master of Golden Star Lodge, No. 143, I would like to thank City Council and Reverend Duane Darkins on behalf of my Lodge.

Black women have, of course, played the greatest of all parts in the history of African-Americans and we as a fraternal order thought that it would be a great honor to honor those that have walked the path for us.

We thank City Council for this resolution on behalf of my Lodge and, once again, I thank Reverend Duane Darkins and City Council. Thank you very much.

Mr. Darkins:

I want you to see some of the best women in the world. Come, women. These are the women. My colleagues on Council, I want you to take note of these women.

Mr. Darkins presents

No. 2348 WHEREAS, the month of March is designated as "Women In History Month"; and

WHEREAS, African American women have set themselves apart as women of determination, devotion and drive towards improving the quality of life within their families, communities, churches and educational institutions; and

WHEREAS, African American women are ladies of vision and character and as a result have excelled in all sectors of society bringing life, uplift and direction to all that they touch; and

WHEREAS, African American women are unique in that they have overcome economic struggles, spiritual trials, family pressures, unfair racism and all types of obstacles to rise to the levels of doctors, lawyers, diplomats, journalists, administrators, bankers, business owners, ministers, educators, housewives and community leaders; and

WHEREAS, African American women are women of strength, women of foundation, women of love and women of depth.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby honors and recognizes Dr. Ellie Wright Ellis, Phyllis Moorman Goode, Dr. Barbara J. Bazron, Betty Tillman, Roberta White, Lena W. Brookins, Sara Trower-Martin, Dr. Huberta Jackson-Lowman, Commander Gwendolyn J. Elliott, Elaine F. Lee, M. Gayle Moss, Frances McNeal, LeGertha Prince, Cynthia Griffin, Yolande Campbell, Edwina Kai Kai, Carmen Lee, Carolyn Franklin, Elaine Effort, Dovie Powell, Rhonda Galloway and Shirley A. Henderson for their unselfish service to mankind and to the African American people.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Ms. Franklin:

All of us here, we'd like to thank Reverend Darkins for being so kind as to honor us for what we do naturally and happily. We're glad to be of service to our community. Thank you.

Speaker:

I'm certain that I can speak for my colleagues that we simply feel honored and privileged to be here. I couldn't articulate it better than what was just said, that we do this naturally. We have a vision, and we're so happy that this City is willing to share that same vision with us. Thank you.

Mr. Darkins:

I have 25 women that I am honoring today and somewhere in the Scriptures it says that they are the Rose of Sharon and the Bright Morning Star.

Mr. Regan:

Ladies and gentlemen, I'd like to introduce the 1991 State AAA Basketball Champions, Perry Traditional Academy with Coach Franklin and Mr. Aluise.

I'd like Coach Franklin and Mr. Aluise, the President of Perry High School, and the team to come up here, please, until I read this resolution. From the North Side, too.

I'd like you to know that this is a feather in

the cap of City Council because two young men here were employed by Council this past summer. Malik Hightower, take one step forward and don't slam dunk that trophy. This is Council Chambers. And Will Macon, another person that worked here. They were summer interns for us here this summer, so we're proud of them being on the State Championship Team.

Mr. Regan presents

No. 2349 WHEREAS, March 22, 1991, Perry Traditional Academy takes their talents to Hershey Park Arena and brings home to Pittsburgh the PIAA Class AAA Boys State Basketball Championship by defeating Pottstown 67-61; and

WHEREAS, Perry Traditional Academy Basketball Team, also known as the Commodores, had a 25-4 season and is the first City League team since 1978 to win the State Basketball Title; and

WHEREAS, this team understands the true meaning of hard work to accomplish your dreams. Trailing in both of its last games, the Commodores, under the coaching of Chuck Franklin and Assistants Bill Monroe and Jan Rihs, outscored, out rebounded and out worked their opponents to win the games; and

WHEREAS, behind every team are the silent forces who make up the difference by providing the finishing touches to the team. Buses, tutoring in classes, a towel or whatever needed, we have the Managers Charles Humphries, Eric Harrison and Lester Holmes and also the Principal Pat Aluise and Athletic Director Harry Stephens; and

WHEREAS, today I am proud to introduce to you the PIAA State Champions - Perry Traditional Academy Commodores: John Wilkins, Eddie Benton, James Billingslae, Kevin

Hunt, Taii Thompson, Dwayne Coleman, Geoff Moorer, Malik Hightower, Abu Whitaker, Ali Thrower, William Macon, Randy Young and Henry Fortson.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Tuesday, March 26, 1991 as "Perry Traditional Academy Commodores' Day" in the City of Pittsburgh. "IT CAN ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

Mr. Franklin, I know you feel like a big shot now. Winning that State Championship was something, but that's nothing - when you get all of Council to agree 100 percent, you really got over on the City.

I'd like to present this to you as your day in the City of Pittsburgh. You'll go down in the records of the history of the City of Pittsburgh, and every young man here, your name will be in the record of the history of the City of Pittsburgh. Your grandfathers, great-grandfathers, grandbabies, everybody can come down here and look and see your name in there.

Mr. Aluise, would you like to come up and say a couple words here? The Principal. Patsy Aluise. State Football Champs last year.

Mr. Aluise:

I'd just like to say that it's a great feeling for me to be associated with such a fine group of young men. These young men are not only good basketball players, they study hard each day. Mr.

Franklin, our Coach, makes sure that each of these young men study an hour before each practice.

A lot of these youngsters are going on to college. In fact, I think all of them are going on to college, all the seniors are going on to college, some of them getting some fantastic college scholarships that range into the \$120,000 or \$130,000 range. So, it's a fantastic opportunity but it's only through hard work.

I think we have probably the finest coach in Pennsylvania. Chuck Franklin is not only a good basketball coach on the floor, but he works hard with the youngsters off the floor and I think that's really what's important. I don't want to say he's their dad, but he's close enough to them that he shares a lot of their problems, he works with them, he tries to have them improve, and he works on attitude. Attitude and hard work are very, very important and I'm very proud of the fact that our youngsters have the correct attitude and that's basically because they have a fine coach in Chuck Franklin. Thank you.

Mr. Regan:

I wanted to introduce the Principal first because he's the one we had to see to get them out of school.

Now, Coach Chuck Franklin of the State Champions.

Coach Franklin:

Thank you, Honorable Councilmembers, on behalf of Perry Traditional Academy, the coaching staff, the team. We humbly accept the recognition today by this esteemed Council.

We, at Perry, like to think that our students exhibit the type of work ethic characterized by our City. We promise to do our

best to represent the City in the school system to the best of our ability.

Again, I would like to thank you.

Mr. Darkins:

We love this team, but I just want to point out that Malik Hightower's grandfather is one of the trustees in my church. I was with them Sunday in their home and he is somebody special.

The Chair:

Thank you all. You did a great job.

Members of Council present

No. 2350 WHEREAS, the Community Development Block Grant (CDBG) Program has operated since 1974 to provide local governments with the resources required to meet the needs of low and moderate income individuals and families; and

WHEREAS, CDBG funds are used by thousands of local governments and cooperating non-profit organizations throughout the nation to address pressing neighborhood and human service needs; and

WHEREAS, in the last several years, the federal government has continued to reduce assistance to local governments; and

WHEREAS, during this time, the problems of our citizens have grown as evidenced by the dwindling supply of affordable housing, the massive rise in homelessness, and the resurfacing of hunger and malnutrition; and

WHEREAS, this federal withdrawal from responsibility has shown that the CDBG Program has assumed increasing importance for

meeting vital community needs; and

WHEREAS, Congress, the Administration and the nation have often overlooked the critical value of the CDBG Program and the significant number of projects and people that rely on its funds for support; and

WHEREAS, the CDBG Program must continue to receive full and adequate funding and must not be subject to any changes in its structure or in the distribution of its funds; and

WHEREAS, the City of Pittsburgh has designated the week of April 1-7, 1991 as "National Community Development Week" in the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the City of Pittsburgh urges Senators Heinz and Specter and the Western Pennsylvania Congressional Assembly to consider the important role that CDBG funds play in the local community and to support full funding for the program; and

BE IT FURTHER RESOLVED, that copies of this resolution be presented to the appropriate officials and also be prominently displayed so that all citizens in the community can realize the need for the Community Development Block Grant Program.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

I would simply add that the resolution be sent to all members locally in Congress and our two United States Senators. It's a very important resolution.

Mr. Cohen presented

No. 2317 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of the Warrington Recreation Center and the Warrington Avenue Wall at a cost of \$100,000.00 or more, but less than \$500,000.00, chargeable to and payable from Code Account EC 91-111. (Council District #3)

Also,

No. 2318 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts for the purchase of property and construction of the EMS prototype stations including but not limited to EMS #2 at Bausman Street, Council District #3, at a cost of \$500,000.00 or more, but less than \$899,000.00.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 2319 Resolution providing for the issuance of a warrant in the amount of \$17,800.00 for payment to Chamber of Commerce Realty, Lawrence Rezak, President, for payment of rent at Chamber of Commerce Building for the month of March 1991.

Which was read and referred to the on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 2320 Resolution authorizing a Lease Agreement or Agreement, approved by the City Solicitor, for the leasing of a City-owned tractor with plow, as follows: 1981 Model #126581, Serial #0678645 and Flail mower, as follows: 1988 Model #0710, Serial #VT88057-88, to NeighborFair, Inc., the terms and conditions of which lease shall include, but not limited to, consideration of One (\$1.00) Dollar, per annum, the right of the City to terminate the lease upon thirty (30) days prior written notice if the City shall determine that the tractor's value becomes sufficiently less than the cost of any repair, and general liability insurance procured by NeighborFair, Inc., which policy of insurance shall name the City of Pittsburgh as an additional insured.

Which was read and referred to the Committee on General Services.

Mr. Darkins presented

No. 2321 Resolution adopting Official Sewage Facilities Plan for North Negley Town Homes.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2322 Resolution directing the City Controller to establish a special trust fund entitled "The Carnegie/DCA Trust Fund", and to deposit in said trust fund any and all grant funds received from the Commonwealth Dept. of Community Affairs for the construction of the Carnegie Science Center.

Also,

No. 2323 Resolution authorizing the Mayor and the Director of Planning to enter into an Agreement or Agreements with the Carnegie for the use of Commonwealth funds for the construction of the Carnegie Science Center, at a cost not to exceed \$2,000,000.00, chargeable to and payable from the Carnegie/DCA Trust Fund.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2324 Resolution further amending Res. No. 1451, eff. January 1, 1991, as amended, entitled "Resolution adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program" by changing a code account number (Penn-Liberty Cultural District Street Improvements Project). This line item was assigned an Engineering and Construction Department number, rather than a URA number. (Council District #6)

Also,

No. 2325 Resolution providing for an Agreement or Agreements with Whale's Tale for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program, at

a cost not to exceed \$35,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 2326 Resolution providing for an Agreement or Agreements with Bethlehem Haven for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program, at a cost not to exceed \$50,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 2327 Resolution providing for an Agreement or Agreements with Miryam's for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program, at a cost not to exceed \$35,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 2328 Resolution providing for an Agreement or Agreements with North Side Common Ministries for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program, at a cost not to exceed \$26,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund."

Also,

No. 2329 Resolution providing for an Agreement or Agreements with Community

Human Services for the payment of maintenance, operation, insurance, utilities, and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$54,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund."

Also,

No. 2330 Resolution providing for an Agreement or Agreements with the Women's Center & Shelter for the payment of maintenance, operation, insurance, utilities, and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$45,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESTOP Trust Fund."

Also,

No. 2331 Resolution providing for an Agreement or Agreements with Womenspace East for the payment of maintenance, operation, insurance, utilities, and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$26,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund."

Also,

No. 2332 Resolution providing for an Agreement or Agreements with Light of Life Rescue Mission for the payment of maintenance, operation, insurance, utilities, and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$25,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund."

Also,

No. 2333 Resolution providing for an Agreement or Agreements with Salvation Army (3rd Avenue) for the payment of maintenance, operation, insurance, utilities, and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$45,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund."

Also,

No. 2334 Resolution providing for an Agreement or Agreements with East End Cooperative Ministries for the payment of maintenance, operation, insurance, utilities, and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$50,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund."

Also,

No. 2335 Resolution providing for an Agreement or Agreements with the YMCA - Centre Avenue for the payment of maintenance, operation, insurance, utilities, and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$16,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund."

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 2336 Resolution providing for an Agreement or Agreements with Strassburger, McKenna, Gutnick & Potter, Attorneys at Law,

for settlement of all claims of Michelle Madoff in connection with subpoena/deposition in the case of Ben Woods, at a cost not to exceed \$507.70, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies, Equipment, etc., City Council. --(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 2337 Resolution further amending Res. No. 894 of 1989 as amended by Res. No. 819 of 1990 and Res. No. 923 of 1990 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pa. for a grant or grants in connection with the Job Training Partnership Act; etc.," by increasing the amount available for subcontractor agreements by \$10,000.00 (from \$995,000.00 to \$1,005,000.00, chargeable to and payable from the various JTPA Trust Funds.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2338 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2339 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a Referendum Question as to whether or not said voters are in favor of amending the Home Rule Charter, by providing for Seven-Member Council Districts.

---(SPONSORED BY MR. WAGNER, MR. COYNE, MR. FERLO, MR. REGAN AND MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Also,

No. 2340 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of December 31, 1990.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2341

Report of the Committee on Finance for March 20, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2267

A Resolution entitled, "Resolution Repealing Resolution No. 1295, Item G, effective December 18, 1990, which authorized the sale of a 2 story, frame-brick house and a 1 story G.I. garage, on a lot 20' x 138', in the 25th Ward, designated as Block 22 H, Lot 188, known as 1730 Brighton Place, to Lorenzo Woods, for the sum of \$1,500.00."

Which was read.

Also,

Bill No. 2269

A Resolution entitled, "Resolution transferring the sum of Eighty Thousand Dollars (\$80,000.00) from Public Safety Pennfree Initiative (PSPD), Index Code 251389, Bureau of Police, Department of Public Safety, to Code Account 1154-1, Index Code 115410, Department of General Services, Rental of Motorized Equipment, as reimbursement for four (4) vans."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

Michelle Madoff

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2271

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Teledyne Laara in the amount of \$784.75 in payment for repairs to the water heater at Oliver Bath House, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2272

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Miller Electric Construction, Inc., in the amount of Six Hundred Twenty Dollars and Sixty-Six Cents (\$620.66) in payment for electrical services for temporary lighting at Point State Park, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2273

A Resolution entitled, "Resolution authorizing the transfer of funds as invoices are submitted for the purchase of asphalt at a cost not to exceed one hundred thousand (\$100,000.00) Dollars from Code Account 3-10-10-0002-91, Index Code 810168, Asphalt Repairs, in the Department of Parks and Recreation to the Department of Public Works' Code Account AR, Asphalt Reimbursement Trust Fund, Index Code 250100."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2301

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Five Thousand One Hundred Sixty-Seven Dollars and Forty-Nine Cents (\$5,167.49) to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year 1983 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

Also,

Bill No. 2302

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Two Thousand Six Hundred Fifteen Dollars and Ninty-Five Cents (\$2,615.95) to the Commonwealth of Pennsylvania representing the final payment required for unclaimed funds for the year 1982 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2342

Report of the Committee on Public Works for March 20, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2258

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Doughboy Square Housing Project."

Which was read.

Also,

Bill No. 2259

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for South Side Business Center."

Which was read.

Also,

Bill No. 2260

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Duquesne Light Company in connection with the electrical service for Schenley Plaza Parking Lot in the 4th Ward, 13th District of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2261

A Resolution entitled, "Resolution amending Resolution No. 603, approved June 13, 1990, effective June 19, 1990, entitled 'Accepting the Dedication of Certain Property for a Traffic Signal' in the 4th Ward, 8th District, City of Pittsburgh."

Which was read.

Also,

Bill No. 2263

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for Concrete Slab Replacement at

various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2264

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the renovation or construction of walls and related facilities of City property at various locations throughout the City." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2343

Report of the Committee on Planning, Housing and Development for March 20, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2298

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to transfer \$1,260,000 in Neighborhood Development Program Funds to the Western Restoration Project."

Which was read.

Also,

Bill No. 2299

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Western Manor, Inc. for the sale of Parcel A - Western Restoration Project in the Fifth Ward of the City of Pittsburgh (RESIDENTIAL REHABILITATION)."

Which was read.

Also,

Bill No. 2300

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Fifth and Sixth Wards of the City of Pittsburgh owned by the Commonwealth of Pennsylvania,

Department of General Services, and designated as Block 25-S Lots 112, 156, 104 and 98 in the Deed Registry Office of Allegheny County."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on Bill 2300.

(REMARKS ON FOLLOWING PAGES)

BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 2300, WEDNESDAY, MARCH 20, 1991)

Mr. Ferlo:

Discussion. All of these bills are needed to expedite the actual acquisition of the property so that the Western Restoration Project can move full stream ahead. The only question that I have and maybe Councilmembers have some questions about this -- on Bill No. 2300, my concern and maybe you can clarify this to me. Given the fact that this is a tremendous undertaking not only economic development but fulfilling a need for housing for elderly as well as the related aspects of this project, is there a reason why the state can't just transfer this property instead of us having to actually shell out this money?

I mean, if the School Board can do, there have been other instances across the state which the state has acted legislatively to convey property. Why do we have to shell out \$212,000.00?

Mr. Lieber:

There is legislation that was passed that would authorize the Authority to take this property and in the legislation it is mandated under state legislation that the property be sold for either the outstanding indebtedness on that property or for one half the fair market value of that particular parcel. The reason why they have legislation that mandates that is because I imagine that there must have been problems with public land being given away.

Originally when we first approached this building, they wanted to sell it to us for \$900,000.00. They envisioned it being worth more than \$1.8 million. We went back to them and expressed our concerns that the property was not worth that amount for really two reasons: One was that in the legislation they were restricting the property to use for elderly purposes and the appraisal that came out did not have that restricted use provision. And the second issue was, we were very concerned that the appraisal didn't take into consideration environmental problems which the building has many.

Mr. Ferlo:

Are we seeking a request for a return of that money and some other categorical grant?

Mr. Lieber:

We do get our fair share of funds from DCA, approximately \$4 million annually for various programs like this, so we will be using DCA funds to assist this project eventually so we were able to get it down to \$212,000.00 and we felt that and what we will do then is we will put in a purchase price approximately \$75,000.00 to each one of the non-profit buildings. That money will not necessarily come back to us right away, it will come back to us overtime. I agree with you in that it would seem logical that they would pass this property onto us but I think it is mandated in state legislation that they have to sell it.

Mr. Ferlo:

Thank you.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 2344

Report of the Committee on General Services for March 20, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2274

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of forestry and park landscaping equipment for the Department of Parks and Recreation, payable from Code Account 1808, Index Code 180802, Equipment, Department of Parks and Recreation,

and for payment thereof."

Which was read.

Also,

Bill No. 2275

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of a tractor for use at the Pittsburgh Zoo at a cost not to exceed \$18,000 (Eighteen Thousand Dollars), payable from Code Account 1859, (Index Code 185900), Equipment, Department of Parks and Recreation, The Pittsburgh Zoo and for payment thereof."

Which was read.

Also,

Bill No. 2276

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for various repairs and emergencies for the Department of Parks and Recreation, payable from code Account 3-10-01-0010-91, and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 2277

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and installation of picnic shelters for the Department of Parks and Recreation, payable from Code Account 3-10-10-1640-91, Index Code 810267, Erect Non-Permit Pre-Fab Picnic Shelters, Department of Parks and Recreation and for

payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 2345

Report of the Committee on Public Safety for March 20, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2270

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services for

the residents of the City of Pittsburgh during 1991 and providing for the payment of the cost which is not to exceed \$40,000.00, chargeable to and payable from Code Account (PSTA), Index Code (253450), Bureau of Administration, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 2346

Report of the Committee on Engineering and Construction for March 20, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2232

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants for Design Services in connection with the widening of Penelope Street; and providing for the payment of the costs thereof."

Which was read.

Mr. Cohen:

I'd like my remarks brought forward on Bill 2232.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 2232, WEDNESDAY, MARCH 20, 1991)

Mr. Cohen:

I want to thank you for sending the materials on this street widening and I read through it and I think that it makes sense but I think there are also several ways that we can go on this and I guess I'd like to know what your current thinking is on how it will be done and how we can do it a way that will keep costs to a minimum.

Dir. Sciulli:

As you recall, we went out and got some of the existing contracts that are already under contract with the City and city forces and we were able to complete that job at a total of \$64,000.00 so it was a lot, lot less than anybody thought it was going to be.

On Penelope Street we have already begun to do the same thing. In fact, when I was meeting with you yesterday, our staff members were taking several of our contractors out to Penelope Street to look at it and there's a possibility that we could do this in a similar fashion that we did where we could have minimum engineering drawings, minimum going out for a full-blown project and maybe have some details on what we want to achieve there and could save us \$150,000.00 but I don't know that until I get to read all of the proposals and meet with all of the contractors and I think our best bet is to go ahead with the legislation and if there's something to do we'll save the money and if there isn't, if I need some bit of that engineering services then I have the legislation to go ahead with that part of it.

Mr. Cohen:

When you say the in-house part, you mean the design services?

Dir. Sciulli:

Yes. For example, if we want to give the contractor detail of a what one section of the street and a wall would look like, he gets an idea of what type of materials he's going to need and he gives us a price and if we think that price is in line with the scope of work then that's all the engineering we need to do on that street.

There are utilities and some other things that are involved that may require some engineering drawings so we have a record of our as-built but maybe we don't need the entire amount that

we're trying to legislate today. But I'm trying to cover both bases here. If we need a full blown design, we're going to have one and if we can do something to shortcut that then we will, just as we have in the past.

Mr. Cohen:

After going out there I think that the street does need to be widened at a certain spot but what I worry about is that this will end up being a \$1 million project. I don't think that's necessary.

Dir. Sciulli:

As I saw it, I don't think it's a million dollar project. I really have high hopes that we can accomplish some of the same costs savings that we have on other projects of this nature.

Mr. Cohen:

Okay. Will you keep us informed on the status of it as it continues so we don't get down that slippery slope.

Dir. Sciulli:

The whole plan is to try to do as many of these neighborhood streets as we can and if we can find creative ways to do that like we've done in the past then that means we do more streets and we don't need to have the design fees and construction costs that we all are fearful of.

Mr. Cohen:

I know this has been in the capital budget for at least five years, and the people who live on the street certainly deserve this project but let's try to keep costs down as much as possible.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 2252

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants, for Construction Inspection Services in connection with the Reconstruction of Arlington Avenue Phase 3; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. President, on the Ordinance 17 which was adopted by City Council last year in August, as we know, it's the ordinance that

created the Recycling Program for the City and also made some other substantial changes to the Environmental Services section of the Code as it relates to not only the Recycling Program but the bulkway pickup and all the other things that were heavily debated last year.

I just want to read one section and make a formal request. Part of the Ordinance, Section 619.13, Administrative Review, and I'll read it as follows: "A) Initial Evaluation - The Recycling Coordinator and the Director of the Department of Environmental Services shall review the Recycling Program and all rules and regulations pertaining to said program six months after the date of enactment. After said review, the Director will submit a written evaluation to City Council."

I would ask pursuant to Ordinance 17, that six months, by the way, ended in February, and I would hope that the Administration is, indeed, working on this evaluation report and hopefully will be forwarding the information to Council.

I would ask pursuant to Ordinance 17, that this initial evaluation report be formulated by the Administration and the appropriate directors and forwarded to the Council President.

I make that in the form of a motion by way of request.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair:

Is there a time frame associated with that, Mr. Ferlo?

Mr. Ferlo:

No, it just implies that quickly after the six

months, which ended in February, there shall be a review and it will be forthcoming to Council.

The Chair:

Mr. Perry, that should be sent to all Members of Council.

Michelle Madoff:

On another matter, Mr. President and Members of Council. We had a very sad call that has been coming into our office on a regular basis about someone who has a problem with a water bill. We don't know whose fault it is, whether it's a misreading or the person, indeed, didn't pay their bill. They claim they did and there's been an error in the reading. But, because they have not been provided with the opportunity for an abatement hearing, they are about to lose their property.

I know that the President of Council has been trying to get names from us so that we can get this Board in place. Is that correct? I've made sure that my name is in and we are going to have to move post haste to get that appointed because if this man loses his property, we have to live with that. So, I would ask that we move heaven and earth and get that done today.

The Chair:

A request is on the floor that all names be

submitted by the end of today. I think that's a great idea.

Michelle Madoff:

And appointed within three days.

The Chair:

And appointed as immediately as possible.

Michelle Madoff:

That's a terrible thing to do to somebody, let them lose their home and their business because we didn't have a Commission for them to appeal to.

The Chair:

Thank you.

Mr. Milliones moved to approve the Minutes of Tuesday, March 19, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, April 2, 1991

No. 14

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, April 2, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen presents

No. 2376 WHEREAS, Pittsburgh is developing as a national leader in high technology fields such as biomedical technology and software development; and

WHEREAS, institutions such as the University of Pittsburgh and Carnegie-Mellon University, and countless Pittsburgh hospitals and corporations, are committed to the advancement of technology; and

WHEREAS, Pittsburgh is hosting TechEx '91, the largest, oldest and most prestigious forum for international technology exchange, and the Pennsylvania Technology Showcase from October 8-10, 1991 in the David Lawrence Convention Center; and

WHEREAS, TechEx '91 has already received international commitments from German, Chinese, Austrian, Czechoslovakian and Hungarian delegations; and

WHEREAS, TechEx '91 and the Pennsylvania Technology Showcase are expected to have in excess of 350 exhibitions and approximately 75 participants in the symposium; and

WHEREAS, TechEx '91 and the Pennsylvania Technology Showcase are certain to attract domestic and international attention to

one of America's most prominent technology intensive regions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the week of October 7, 1991 to be "Pittsburgh International High Technology Week" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. We are doing this now so that this can be put in the brochure for TechEx in Pennsylvania Technology 1991.

Pittsburgh really is becoming a national leader in certain high technology fields and these two exhibitions, TechEx '91 and Pennsylvania Technology '91 really will help advance that leadership. As this resolution says, there will be more than 200 exhibitors from all over the world and I think that it not only will showcase technology, but also the City of Pittsburgh because it's going to be held in the Convention Center.

To my left here, I'm happy to introduce you to Lee French who happens to live in Shadyside, but also is the Chairman of the Board of Technology Licensing Consultants, Inc., and is putting these exhibits together. I got together with Mr. French for lunch last week and was very impressed with him and what he's doing in the high technology field. So, I'd like to introduce you to him.

Michelle Madoff:

Tell us some of the things. Energy?

Mr. French:

Mr. President, Members of Council, thank you. As producers of TechEx, my company, Technology Licensing Consultants, Inc., is pleased to have the opportunity to participate and establishing Pittsburgh as a factor in the exciting field of international technology.

In 1972, the 18 annual TechEx functions here in North America, along with 8 European and 4 Asian events have established TechEx as the oldest, largest and most prestigious forum for technology exchange in all fields of science and engineering. This year and each year hereafter, we will produce TechEx here in Pittsburgh in the David L. Lawrence Convention Center.

We appreciate your resolution proclaiming the week of October 7th as "Pittsburgh International High Technology Week", and I look forward to seeing my native city assume a proper place in the world of international technology exchange. I thank you all.

In answer to your question, we are involved in just about all fields of technology exchange from the simplest consumer products to high tech in the fields of metallurgical processes, chemical processes, pharmaceuticals. We represent patent attorneys, we represent universities. So, we're involved in all forms of technology exchange.

Michelle Madoff:

I haven't missed one yet and I'll be at that one.

Mr. French:

Thank you very much.

Mr. Cohen:

With Council's indulgence, I have one more today. Is Barbara Byers here, please? Barbara Byers is a volunteer for Workout For Hope which I'd like to describe to you in this resolution.

Mr. Cohen presents

No. 2377 WHEREAS, the City of Hope is a nationally prominent research programs on cancer, leukemia, AIDS, diabetes, heart, blood and lung diseases, and other metabolic and heredity disorders; and

WHEREAS, "Workout For Hope", a three hour aerobic event dedicated to generating charitable dollars for the City of Hope's research efforts to find a cure for AIDS, will be held on April 6th in 45 major American cities, including Pittsburgh; and

WHEREAS, 1991 marks the first year that "Workout For Hope" will be held in Pittsburgh; and

WHEREAS, \$1.5 million is expected to be raised nationally on April 6th to help find a cure for AIDS.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the efforts of all the City of Hope volunteers and wishes them much success at the inaugural "Workout For Hope", which will surely play a part in the effort to defeat AIDS.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. Over 100,000 Americans have died of AIDS and a national effort, as you all know, is going on to try to find a cure. This is one important project being held here in Pittsburgh that will be raising money to do just that. They expect to have over 25,000 people participate nationally and many people to participate here in Pittsburgh.

I'm happy to introduce Barbara Byers who is a volunteer for Workout For Hope to say a few words.

Ms. Byers:

Thank you, Daniel, for sponsoring this. Thank you, Members of Council, for passing this resolution.

I think the most important thing that any of us involved in any form of fundraiser can do is to give our benefactors, our sponsors, our donators, the feeling that we are an entirely accountable organization, and I can assure you of that. I brought information to leave with you.

The City of Hope generates many, many charitable dollars for a lot of different diseases, the study of which Dan mentioned. This particular event is dedicated to AIDS, and upwards of 85 percent of what we generate will go to the research for that disease.

This is a non-discriminatory virus. It affects all of us. It's impact is immense. People have said to me, "I have never lost a friend to AIDS. It's not my cause." Well, they have and they don't know it because the friends I have lost to AIDS would have been friends with theirs if they had survived long enough. It impacts on

potention of all of us, potential for relationships that are gone that we are deprived of.

The City of Hope's work is important and Pittsburgh is responding. Besides yourselves, we have the commitment of several large local sponsors, corporations, companies, many, many individuals who are working very, very hard on this. I find that we are all energized by each other and by how successful this is going to be. We anticipate upwards of 300 people at this event. We have set a goal for ourselves of \$15,000 for the City of Pittsburgh, first time event and that's very good.

We're laying the groundwork, I hope, for complete credibility to do this in the future and to beat AIDS because this virus, we've got a chance with it. We have never beaten a virus but we're close on this. It will have impact on other viruses that cause things like MS, lupus, arthritis. All of them are related and that relationship will be important if we ever succeed in the control on one virus such as the HIV virus. It will have impact on these other diseases. It's critically, nationally and internationally important. Thank you.

Mr. Darkins presents

No. 2378 WHEREAS, the African American Heritage Quilters Guild was founded in 1989; and

WHEREAS, the Guild is dedicated to the preservation of quilting, by educating the public about its art and beauty and by displaying their quilts at informal programs and annual shows to work with senior groups and youth; and

WHEREAS, the works of the African American Heritage Quilters Guild have been displayed at the Kingsley Association, PPG Wintergarten, The Children's Museum, The Carnegie, and most recently in the City-County Building lobby; and

WHEREAS, in 1992 the African American Quilters Guild will exhibit their quilts to honor Dr. Martin Luther King at The Children's Museum, a formal presentation to the Quilt Company East and Keystone Quilters Guild; and

WHEREAS, today the African American Quilters Guild boasts a membership of 30, meeting the second Sunday of each month at the Lemington Home for the Aged.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh encourages the African American Heritage Quilters Guild to continue their mission to preserve the art of quilting.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Ms. Benton:

I'd like to thank Councilman Darkins and the rest of the Councilmembers on behalf of the African American Heritage Quilters. We are very excited to receive this today because one of the things we have tried very, very hard this year is to get out in the public and let them know that this is not a dying craft. In fact, in the Pittsburgh area it has really started to grow.

We are also doing multi-cultural events with other quilting guilds as well as other craft groups. And we pledge to do this for the inception of our club.

We also sponsor the Lemington Center and anyone that wants to come to our meetings, once again, I'd like to mention that it's the second Sunday of every month from 4:00 to 6:00. We do

like to encourage our young people to get involved and we will come to you. You don't have to come to us, if you just ask us. I will leave our number with Councilman Darkins so that you can get in touch with us. Thank you very much.

Mr. Darkins presents

No. 2379 WHEREAS, on April 8, 1991 the Pittsburgh Job Corps Center and the Parent & Child Guidance Center will officially dedicate their On Site Child Care and Development Center that is especially designed for the Highland Drive campus students; and

WHEREAS, the Child Care Center is open for children six months to five years old; and

WHEREAS, the Child Care and Development Center provides the opportunity for young parents to further their education by removing the barrier of not having adequate and affordable child care; and

WHEREAS, the Child Care Center permits the unemployed and unskilled young parent the opportunity to increase their chance for gainful employment; and

WHEREAS, the Child Care and Development Center is owned and operated by Parent and Child Guidance Center in cooperation with the Pittsburgh Job Corps.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Pittsburgh Job Corps Center for establishing a facility that allows parent and child to develop simultaneously.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Spisak:

Councilman Darkins, I want to thank you and I want to thank the Council for giving us this opportunity. I think the last time I was down here talking to City Council it was for Head Start 20 Anniversary Day. I walked through the door and Head Start is back again. So, I think that the Council is committed to children and families.

This particular project, I think, is extremely important for the City and for City residents. I don't have to tell you what the statistics are on unemployment. I don't have to tell you what the statistics are on teen pregnancies. And I don't have to tell you the stresses that those two conditions put on families. Now, you take those families and you look at children six months old, a year old, two years old, their parents are unemployed. A lot of those children's parents are high school dropouts. If they are high school graduates, they have marginal job skills.

What this program does for the youth in the City is provide excellent job training and quality child care while that parent is in class. So, I would hope that all of the Councilmen from all of the wards spread the word. We do have a valuable program there, we do have an opportunity to help people. Any time you want to come out, I'm more than willing to be your host. And any time you have a family that is in need, if you call me, Councilman Darkins, we'll do something to get that parent and that child back on the right track. Thank you very much.

Mr. Ferlo:

I'd like some of the representatives of the labor organizations that are here today to come forward, all of you including Tony Como from the IAM, Mr. Osborne from the Amalgamated

Transit Workers Union, all the other folks in the Building Trade, Mr. Stanizio and the others.

Mr. Ferlo presents

No. 2380 WHEREAS, the practice of replacing workers who go on strike has increased dramatically since 1981; and

WHEREAS, the right of workers to withhold their labors as leverage during negotiations has been an essential element of the collective bargaining process; and

WHEREAS, employee faith in the collection bargaining process is damaged by an undermining of this basic right; the leading to the probability of prolonged and disrupted labor disputes and increased economic hardship; and

WHEREAS, an increasing number of employers during the 1980s turned to a 1938 Supreme Court ruling which legalized the "replacement" of striking workers, and a 1986 decision which authorized preferential treatment for strikebreakers; the balance of power which insured fair and expedient negotiations in the conduct of labor disputes, has been effectively diminished; and

WHEREAS, approval by Congress of H.R.5 and S.55 would restore the right to strike, to its historical status as a legitimate tool within the collective bargaining process; and

WHEREAS, proposed amendments H.R.5 and S.55 to the National Labor Relations Act would make it unlawful to offer permanent employment, or employment preference, to an individual who would work during a strike; and

WHEREAS, these amendments would further prohibit employers in providing benefits to workers who could cross the picket line and return to work; thus protecting the rights of, and

preventing retribution against, workers who participate in such a job action; and

WHEREAS, this legislation is essential to restoring the integrity and purpose of the National Labor Relations Act, which established a time-tested process for the fair and equitable disposition of labor disputes.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh calls upon the United States Congress to enact amendments H.R.5 and S.55 to the National Labor Relations Act, restoring the right of workers to withhold their labors as leverage during collective bargaining negotiations.

Mr. Ferlo moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much, Members of Council. I think all of us in this room are certainly aware, being friends of the labor movement, how important it is over the years. And if we look at the history, not only the City of Pittsburgh, but if we look at the history of working people throughout this country, I think we can all give credit to the fact that the labor movement has been organized for over 150 years in this country, has provided all types of benefits, not only to their members but, more importantly, those benefits have been afforded to all the rest of us throughout our society.

Unfortunately, in the last 20 years and particular in this country, certainly since the Regan Administration and now the Bush Administration, there has been an onslaught against the ability of working people to organize and bargain fairly through the collective

bargaining process. This resolution supporting S.55 and the House resolution would begin to restore that balance of power. Personally, I believe anybody who works for a living has the right to withhold their labor power. That's just a matter of a very basic human right.

We have a number of labor leaders here today. I'd like a couple of them to come forward, two in particular. Tony Como who is the Legislative Chairman who helped develop the proclamation here today. He was with the International Association of Machinists Local 1976. Then I'd also like to invite you to meet Mr. Osborne, one of the Greyhound workers and I'd like to introduce him secondly. But at this time I'd like to call on Tony to say a few words. Thank you.

Mr. Como:

Mr. President, Members of Council, especially Jim. I want to thank you for passing the resolution.

H.R.5 and S.55 is something that the labor movement needs to keep its vitality going throughout this labor bargaining system that we have. Without this, this is another nail in the coffin of the labor movement.

You heard Jim speak of Eastern and Greyhound, Eastern Airlines because of the situation that developed, because of the permanent replacement workers. 42,000 good paying jobs were removed. At Greyhound, 9,500 jobs. You heard of the preferential treatment of replacement workers on the TWA Flight Attendants. There was approximately 6,000 there.

Without this bill, corporations have no need to negotiate. When we lose this, we lose our dignity. There's no reason in the world why we should put in 20 to 30 years of service and have

somebody come in and take the job away from us that we have made that company profitable.

I would hope that Council would speak to Senator Heinz, Senator Specter. The business community is lobbying very hard in Washington and there is a big lie going on that mom and pop operations are down there lobbying saying that they need to have this bill defeated because this will put them out of business. This does not deal with anything except organized labor during a strike. So, I would appreciate if Council would speak to Senator Heinz and Senator Specter on our behalf. And again, I want to thank you very much.

Mr. Ferlo:

I'd like to also introduce Charles Osborne, Chuck Osborne, one of the Greyhound workers, and he's with the Amalgamated Transit Workers Union Local 1043. We also have Johnny Remark here and other labor leaders here today are from the Building and Construction Trades Unions. But I'd like Mr. Osborne to talk specifically because here's a good example of why these legislative amendments are needed to the NLRB Act.

Mr. Osborne:

Mr. Chairman, City Council, on behalf of Local 1043 Amalgamated Transit Union, members and officers, I'd like to thank you for this resolution.

This resolution is much needed. If we had this resolution before, I wouldn't be starting a 13 month strike today.

If we had this resolution and these laws passed before, I wouldn't see my members losing their homes and their properties that they worked so long and hard for.

If I had this resolution before, I would not have had to pay my final respects to two of my members who passed away due to stress related heart attacks.

This resolution will only be a plus for the labor movement. Without the bargaining tool, without being able to sit down at the table and negotiate a contract, unions cannot survive. And if the unions can't survive, then the workforce will dwindle.

So, on behalf of Amalgamated Transit Union, the joint counsel of Greyhound workers, again I want to thank you very much for your support and this resolution. Thank you.

Mr. Remark:

Mr. President, Councilmembers, I appreciate this opportunity and I would just like to say a few words regarding this legislation on behalf of my local union, Amalgamated Transit Union Local 85, and on behalf of the Allegheny Labor Council.

What this proclamation does is put labor on even ground with the employer. Today, as in my local, my president and my business agent, Larry Close, has instituted many programs which permit resolutions to be resolved, grievances to be resolved. And throughout the labor movement, we have arbitration, we have grievance mediation. We're able to work our grievances, our differences out. Strikes today, in many, many instances, are the last move of any union. However, we do need to have that ability to withhold our services. When we do it, we need to know that if we strike and we win the strike or we resolve our differences, our jobs will be there when we come back. That's all these two bills do, H.R.5 and S.55. They put us on even ground with the employer.

Thank you very much and we urge your

support.

Mr. Ferlo:

I just want to say thank you to all the Council. You know, we have many organizations here today, the Boys' and Girls' Club, Head Start, Bishop Darkins recognizing the Job Corps. If we really look at it and deal with the issue, as far as I'm concerned, nobody should cross a picket line. I've never crossed a picket line in my life. I would never cross a picket line. I support what Jack London has to say about scabs, but that's not the issue today.

The issue is that if we're going to advance in this society, we really have to be fair. And if we look at what has happened in this country over the last 20 years, there is a radical transformation of wealth in this society. There's the old saying about the rich are getting richer and the poor are getting poorer, and that's not just rhetoric.

And when we talk about the organizations that are here today, how better off these organizations would be if working people had a decent union paying job throughout the country. We would better be able to support the Boys and Girls Club and the Head Start Program and all the other good people here today.

So, I'm very honored that Council has passed these resolutions. I appreciate all the leadership from the labor movement here today, and I would ask, with the Council President's support, that we forward the resolution to our delegation in Washington.

Michelle Madoff:

Basically, I was just going to ask, you know, it isn't enough to pass a resolution. That's sounds wonderful. But what are we going to do to make it happen? Who is the sponsor of the legislation? Is it Heinz?

Mr. Ferlo:

We need to get the support of Heinz and Specter in particular.

Michelle Madoff:

Who is the sponsor?

Mr. Ferlo:

There's about 40 co-sponsors on each one of those bills.

Michelle Madoff:

There's 40 co-sponsors and we don't have our own Legislators supporting it, is that it?

Mr. Ferlo:

Not at this time, I don't believe.

Mr. Osborne:

All of the delegation in Pittsburgh and Allegheny County has co-sponsored the legislation except for Congressman Santorum who supports it but he wants to amend it. We can't live with any amendments on this bill. Senator Heinz and Senator Specter both want to support this, but they need ammunition to fight the Administration. That's why we ask you to call their office at the very least. We would appreciate a written letter, and, of course, the proclamation should be sent to them.

But, everybody is on board in Allegheny County Delegation. At this time, there are 216 co-sponsors in the House, and 31 co-sponsors in the Senate. So, we've got some work to do. And I can tell you this much, the business community is kicking us, I don't know how to say it—

Michelle Madoff:

In the proverbial.

Mr. Osborne:

They're killing us in Washington. They are doing a big job on us and it's a big lie that's being told down there. So, we ask your support.

Michelle Madoff:

Well, people are listening on Cable 17 and I hope they'll also contact their Legislator.

Mr. Ferlo:

Thank you, Michelle.

The Chair:

I'd like to ask the City Clerk to forward that resolution to the entire delegation of Western Pennsylvania.

Michelle Madoff:

We should all sign it ourselves. Everybody sign it.

Mr. Ferlo:

I'd like the representatives from the Head Start Organization to come forward, especially our honoree, Nora J. Walls. And we have Mary Moses from Lawrenceville, a good friend. Some of the family members and some of the workers from Head Start.

Mr. Ferlo presents

No. 2381 WHEREAS, Head Start was created in an effort to provide a comprehensive child development program for children from low-income families; and

WHEREAS, the Western Pennsylvania Head Start Organization is a coalition of 19 social service agencies providing Head Start services, namely: Allegheny County Head Start, Armstrong County CAA Head Start, Butler County Children's Center, Inc., Head Start of Fayette County, Beaver County Head Start, Council of Three Rivers American Indian Center, Inc., Greater Erie Community Action Program, Jefferson-Clarion Head Start, Lawrence County Head Start, Mercer County Head Start/Day Care, Pittsburgh Board of Education Head Start Program, Preschool Development Programs, Inc., Tableland Services, Inc. Head Start, Warren-Forest Counties EOC, Washington-Greene CAC Head Start, Head Start/WHO, Inc., Seton Hill Day Care, YMCA Twin Creeks Head Start and Maplewood Head Start; and

WHEREAS, these organizations are providing services to families and focusing attention on the importance of early child development, especially in the first five years of life; and

WHEREAS, teachers are the cornerstone of the Head Start Program; and

WHEREAS, for the first time, the Head Start Program will honor the Teacher of the Year in recognition of the Head Start teacher's commitment and dedication; and

WHEREAS, Nora J. Walls, a resident of the Northview Heights community who has been with Pre School Development Program Inc. Head Start for 8 years, has been selected as Teacher of the Year.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Nora J. Walls, this year's "Teacher of the Year"; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Monday, April 8, 1991 as "Nora J. Walls Day" and "Head Start Teachers' Day" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like to introduce one of the representatives from the Head Start Organizations, Mr. Carl Perkins. He's the Executive Director of Pre-School Development Program. And then we'll introduce our honoree.

Mr. Perkins:

I would like to thank the Pittsburgh City Council very much for honoring Ms. Walls today. I feel doubly honored in that I am the Chairperson of the Western Pennsylvania Organization as well as Executive Director of Pre School Development. So, I have had a lot of opportunity over the last couple of weeks to thank Ms. Walls for the job that she has done.

This is not only Nora's day in the sun but it's a day in the sun for all children and the children that we have served in Head Start throughout the City, throughout Pennsylvania, and throughout this country. It is because of the commitment of individuals like Ms. Walls that Head Start can continue to move and progress forward.

I would like to say thank you very much, Nora, for assisting us and providing quality services to children in the City of Pittsburgh.

Mr. Ferlo:

I'm remiss in not amending this resolution to say that it will not only be Head Start Teachers' Day but also Nora J. Walls Day in the City of Pittsburgh. I'd like to do that by way of amendment.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo:

At this time, I'd like to introduce our honoree. Nora?

Ms. Walls:

President and City Councilmembers, I'd like to thank you for this honor. I really don't know what to say. I am very shocked at this. But, please, if you have any children for Head Start, we're waiting for them. Thank you.

Mr. Ferlo:

I just want to thank Nora, congratulate her. I'm sure we're going to have a great event and I really appreciate the Head Start Program. It must be a good program; even two Republican Presidents have agreed to keep funding it. Thank you very much for being here today and congratulations.

I'd like to close out with a great proclamation honoring a wonderful gentleman from the Lawrenceville community who has worked more decades than I've been alive, quite frankly.

I'd like to have all the representatives from the Boys and Girls Club come forward, as well as our honoree.

We have a run on resolutions today but, since I haven't had a couple in a month, Mr. Regan —

Mr. Regan:

You only get two a week.

Mr. Ferlo:

I know. We had to bend the rules a little here. It's not often we get gentlemen and ladies like this.

Mr. Regan:

Since you brought my cousin in here, it's alright.

Mr. Ferlo presents

No. 2382 WHEREAS, the Boys and Girls Clubs of Western Pennsylvania and the communities and residents of Pittsburgh, State of Pennsylvania, recognize Bernard J. Wessolek for forty-five years of devoted services in the Boys and Girls Club Movement; and

WHEREAS, Bud, as he is called, is a widower of the late Louise Aciermo Wessolek, has three children - David, Barbara and Kenneth, as well as three grandchildren; and

WHEREAS, various community groups, community residents, alumnus and Board of Directors of the Boys and Girls Club of Lawrenceville will honor Bud for his forty-five years of dedication and caring to thousands of youth through his involvement in camp, club and community and charitable activities at a luncheon on April 7, 1991; and

WHEREAS, Bud, because of his caring and love, has touched many lives and shown future generations the key to a brighter future.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh heartily congratulates Bud Wessolek and pays tribute to his devotion, commitment and hard work; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Sunday, April 7, 1991 to be "Bernard J. Wessolek Day" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo:

He's got a great first name, same as Bernard Regan.

We have some great guests here today in addition to our honoree and, before I introduce the honoree, the two great people here today, one of them is even third cousin to Mr. Regan here. Bob Kroner needs no introduction to these Council Chambers. He's the Allegheny County Police Chief. He's also Chairman of the Board of Directors of the Boys and Girls Club. I'd like him to come forward and say a few words and then I'd like to introduce Mike Heppler who is President and CEO of the Boys and Girls Club.

Mr. Kroner:

Thank you very much, Councilman Ferlo. I would like to commend City Council, not only on the good job that they do every day for our citizens but for taking time out of their busy schedule to recognize the people in our community who keep our community great.

I'd also like to note for the record, Mr.

President, that Bernard Regan, my cousin and the Honorable Councilman from the North Side, was a boxing coach for the Boys and Girls Club many years ago and had many great fighters and put many kids on the right track.

I would also like to commend Councilman Ferlo for all the assistance and support he has given our club since he has been in our neighborhood. We really appreciate that.

I think that if we have a future in our country, and some wise man said this and I stole it from him, it lies in the hands of our youngsters. And when you have a man like Bud Wessolek who has guided and counseled so many youngsters and put them in the right direction, I think our neighborhood in Lawrenceville, Bloomfield and Garfield, has had the almost absence of violent crime for years and years on account of efforts of men like him.

Not too many days go by that I don't meet somebody in a leadership position in government, business or the private sector, who has not come under the tutelage of the great Bud Wessolek.

Bud, we'll always be indebted to you for what you have done for our community and helping to keep it great and make sure that our youngsters are prepared to go out in the world and do what they have to do. Thank you very much.

Mr. Ferlo:

I'd like to introduce Mike Heppler who is the President/CEO of the Boys and Girls Club. He can say a few words, not only about the Club but I'd like him to say a few words about our honoree. Then I'd like Mike to introduce Bud, our honoree. Thank you.

Mr. Heppler:

Thank you, Jim. I really appreciate your support in our community.

I am very pleased that City Council has taken the time to recognize one of our own in his profession. Bud's dedication and commitment to the children, not only in Lawrenceville but across the nation, has impacted a lot of children in a very positive fashion.

He's a legend, very simply put. He's a legend in our profession and, more importantly, he is a legend in the hearts of many, many children. It's my pleasure to introduce Bud Wessolek.

Mr. Wessolek:

Thank you, Mike, Mr. President and Members of Council. I appreciate the resolution.

Most of the people in this room are too young to remember the 30s, but in the 30s in Lawrenceville I lived on Welfare Row and I needed the Boys Club. A got a little bit of an education, I came back, got a job there, and with God's help and luck I became the Director of that Club.

The Boys Club gave me an opportunity for 40 years to serve kids, which I love to do, so it wasn't a job at all.

I need no recognition, just thanks that I lived long enough for 40 years to be a part of some of these kids' lives. I thank you.

Mr. Ferlo:

There's an old saying that if you love your work you'll never have to work a day in your life, and I think Bud's a testament to that.

I thank all of you for coming down today and I'll see you on Sunday. Thank you very much.

Michelle Madoff:

Would Tony Sylvester please step forward? This is the fifth year that I have been involved with giving resolutions, or have been part of giving resolutions, whether it was over at the Pittsburgh Public Theater or here before Council. It's fortuitous that today was the day the City of Hope has asked us to get involved and to work towards curing the virus known as AIDS.

Michelle Madoff presents

No. 2383 WHEREAS, the Pittsburgh AIDS Task Force, which celebrates its sixth anniversary this March, is an organization of effective and compassionate volunteers and staff who provide social, practical and emotional support to people living with AIDS and HIV infection and work to educate the community and to prevent the further spread of HIV infection; and

WHEREAS, on April 10, 1991, the Pittsburgh Public Theater will present the world premiere of Mel Shapiro's comedy "The Lay of the Land" directed by Lee Grant for the benefit of the Pittsburgh AIDS Task Force as a means of obtaining much needed funds, increasing awareness of the agency and raising consciousness about this disease awaiting a cure; and

WHEREAS, this year marks the fifth consecutive year that the Pittsburgh Public Theater has conducted an event benefiting the Pittsburgh AIDS Task Force; and

WHEREAS, this event serves to reinforce the goals of the Pittsburgh AIDS Task Force and will help to keep alive the hope and

unwavering determination of its volunteers who provide vital AIDS-related services and education programs to the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the week of April 7 through April 13, 1991 as "AIDS Awareness Week" in the City of Pittsburgh and expresses its sincere gratitude to the Pittsburgh Public Theater, its Producing Director William Gardner and the Pittsburgh AIDS Task Force for this extremely important event.

Michelle Madoff moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Sylvester:

On behalf of the Board, the staff, the volunteers, the clients and the families of the clients, people with AIDS, I want to thank Ms. Madoff, Mr. President and Members of Council, for this award.

I particularly want to bring to you the best wishes of Carey Stoner, Executive Director of the Task Force who in the past has been honored to be up here. He has been called to a command performance in Harrisburg and, if you've traveled to Harrisburg, you know he'd really rather be here. But, unfortunately, he's not.

I serve as Vice-President of the Board of the Task Force and, in some quarters that I'll not name, vice-presidents are usually assigned trivial and unimportant things to do. But the AIDS Task Force, however, the request to be here today has come as an honor.

I have been working in AIDS research at the University in the Department of Infectious

Diseases since 1983. Back in 1983 when we received our first grant, there were six cases of AIDS in the county. At that time, Dr. Renaldo and I were receiving calls from family members of those people looking for help and assistance. Because of the lack of training in those areas that people were looking for help and because of lack of funding, we began calling around. We called the County and the State Health Departments. We called over 20 organizations in the County asking if they would take on the duties needed to help these people. None of them were willing or able to do so.

What happened then was a number of private citizens from Pittsburgh got together with no money, working out of each other's living rooms, and pulled together what is now known as the Pittsburgh AIDS Task Force.

In 1991, the Task Force handles thousands of phone calls from concerned people. It does hundreds of training and educational sessions and has hundreds of clients, both people with AIDS, those infected, and their families.

In 1983, there were 6 cases of AIDS in the County. Today there are 600, and we expect that sometime next year we'll reach 1,000. For each one of those people locally diagnosed, there's someone else coming from outside the County to receive services and assistance here in Pittsburgh.

This is an unhappy year for us. The NIH request for funding was cut by President Bush by \$400 million. The Governor has cut AIDS services in Allegheny County by a half million dollars, so our County now will receive the same amount of money, basically, as other counties even though we have 10, 20 or 30 times the number of cases. So, it's a bleak year.

At the same time, I know that the work of the volunteers of the Task Force will continue

and your support for us, especially this year, has a lot to do to increasing our morale. I thank you.

The Chair:

Members of Council, we have one final resolution, a very important resolution. I'd like to ask Mary Cahill, President of the American Association of Retired Persons, AARP, from Carrick, to please step forward, along with Bernie Majeski, Retired National Guard Master Sergeant, also of Carrick. Also, Carol Anthony, Fran Accamando, and JoAnne Herman from the Carrick Community Council to please step forward. Three ladies that were very instrumental in me drafting this resolution in honoring Bernie and Mary. Good morning.

The Chair presents

No. 2384 WHEREAS, people throughout the Country have done numerous kind and thoughtful deeds to support American troops serving in the Persian Gulf; and

WHEREAS, two Pittsburgh residents, Mary Cahill, President of the American Association of Retired Persons (AARP) Organization in Carrick, and Bernie Majeski, Retired National Guard Master Sergeant, also of Carrick, performed above and beyond the call of duty in supporting the troops; and

WHEREAS, Mr. Majeski, after hearing from a returning pilot that the troops were experiencing various degrees of boredom, spoke with Mary Cahill and together they sprang into action; and

WHEREAS, with hopes to alleviate boredom among the troops, Bernie Majeski and Mary Cahill gathered books and games from Carnegie Library, garage sales and various other places to send to the service men and women; and

WHEREAS, through the unselfish and tireless efforts of Mary Cahill and Bernie Majeski, two transport planes full of books and games were sent to those serving in the Persian Gulf.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and thank Mary Cahill and Bernie Majeski for their remarkable effort on behalf of the men and women serving in the Persian Gulf.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I am honored to present this resolution to both of you. I think what both of you represent is what Pittsburgh represents and I don't think anywhere in the Country there was greater support behind the troops. And certainly you two showed that in a very unique way and we all thank you very much. We would like you to share a few words with us.

Ms. Cahill:

Mr. President, Members of Council and friends, it's a pleasure to be here and a great honor. I never expected anything like this.

We did make a little effort. We just did a little bit. But I think it was a great thrill for Bernie to come back to me and tell me that it was greatly appreciated.

I thank you for the honor of this resolution.

Mr. Majeski:

First of all, I'm not a speaker. I just want to thank City Council and the President here.

We did what we could. I felt guilty that I helped ship them over and I was too old to go myself, so we had to do something. It was not only books; there were cookies and other little things in there that she also provided.

What can I say? Just thank you and I'm glad it over. Well, it's not over because we still have troops over there from the Pittsburgh area in the National Guard.

There's one thing I just wanted to mention. My wife said, "Keep it short." In the National Guard, I don't know if Council knew it but about seven years ago we had an airplane that was named The City of Pittsburgh. It won first prize worldwide in France. They just stopped over for a refueling mission and they entered the plane in there. I think you have a great organization out there so look in on them once in a while. Thank you.

Mr. Cohen presented

No. 2351 Resolution further amending Res. No. 1415, eff. January 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by creating a new line item (EC 91-51) North Shore Drive Trust Fund Transfer.

Also,

No. 2352 Resolution further amending Res. No. 1094, eff. January 1, 1988, as amended, entitled "Resolution adopting and approving the 1988 Capital Budget and the 1988 Community

Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program," by decreasing a line item (UR 88-32) Three Rivers Stadium Development Project by \$600,000.00.

Also,

No. 2353 Resolution providing for a Cooperation Agreement or Agreements with The Carnegie, for site development of the Carnegie Science Center associated with the North Shore Drive Development, at a cost not to exceed \$1,140,000.00, chargeable to and payable from the North Shore Drive Trust Fund.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed

Also,

No. 2354 Resolution providing for the creation of a special trust fund to be known as the "Civic Arena Trust Fund" for the deposit of funds to be used to perform maintenance work with existing City contracts at the Civic Arena at the expense of the Authority.

Also,

No. 2355 Resolution providing for a Contract or Contracts, or use of existing Contracts, for maintenance work to be performed at the Civic Arena at a cost of \$500,000.00 or more, but less than \$800,000.00, chargeable to

and payable from the "Civic Arena Trust Fund".

Also,

No. 2356 Resolution providing for a Cooperation Agreement or Agreements with the Public Auditorium Authority of Pittsburgh and Allegheny County for the transfer of \$800,000.00 to be used to perform maintenance work with existing City Contracts at the Civic Arena.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 2357 Resolution vacating Semicir Street, Frietag Street and Unnamed Way (First Description) beginning at a point on the Southeasterly corner of Frietag Street and Mairdale Avenue, thence along the southerly line of Frietag Street S 52 13' W a distance of 278.38 ft. to a point, thence crossing Frietag Street N 11 50' W a distance of 44.49 ft. to a point on the northerly line of Frietag Street, thence N 52 13' E a distance of 247.90 ft. thence S 53 11' E a distance of 41.49 ft. to a point at place of beginning, saving and reserving a 6" water line and 15" sewer line located therein. The petitioner, The Board of Public Education, The School District of Pittsburgh, 155 N. Craig Street, Pgh., PA 15213, Edward Preskar, Director have requested this vacation for expansion purposes. **(THERE IS OPPOSITION TO THIS BILL - A HEARING IS REQUIRED)**

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed

Michelle Madoff presented

No. 2358 An Ordinance amending and supplementing the Pittsburgh Code, Title VI, Conduct, Article I - Regulated Rights and Actions, Chapter 601 Public Order, Sections 601.11 - Littering and Dumping, 601.16 - Violation and Penalty, and 601.18 - Rewards.

Which was read and referred to the Committee on Public Works.

Mr. Milllones presented

No. 2359 Resolution providing for conveyance by the City of Pittsburgh of certain properties, under Act No. 171 of 1984, entitled "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Also,

No. 2360 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-B Job Training Partnership Act Summer Youth Employment Program to provide work experience, labor market orientation and training opportunities to economically disadvantaged youth residing in the City of Pittsburgh, at a cost not to exceed \$538,000.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 2361 Resolution further amending Res. No. 731 of 1990 as amended by Res. No. 1285 of 1990 entitled "Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A State Educational Grant Program and providing for the payment of the costs thereof," by increasing the amount available to

subcontractor agreements by \$12,069.00 (from \$306,707.00 to \$318,776.00), chargeable to and payable from the JTPA-1 Trust Fund.

Which were severally read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed

Also,

No. 2362 Resolution providing for the issuance of a \$1,800.00 warrant in favor of Lynn Corbett, 4770 Liberty Avenue, Pittsburgh, PA 15224 in full settlement of claim for property damage as the result of a sewer backup at 630 Clyde Street on June 14, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 2363 Resolution providing for the issuance of a \$934.50 warrant in favor of John and Susan Perri, 4775 Cypress Street, Pittsburgh, PA 15216 in settlement of claim for sidewalk damage at 5224-5224-1/2 and 5226 Wickliff Street. The sidewalk damage was caused by City tree roots, payable from Code Account No. 46, Judgments.

Also,

No. 2364 Resolution providing for the sum of \$25,000.00 from Code Account 1063, Misc. Services, Dept. of Finance to Code Account 1043, Misc. Services, City Information Systems.

Also,

No. 2365 Resolution providing for an Agreement or Agreement between the City of Pittsburgh for professional and consulting services in connection with reapportionment of the City Council districts in the City of Pittsburgh, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account No. 1001-1, Misc. Services, Supplies and Equipment.
—(SPONSORED BY MR. MILLONES)

Also,

No. 2366 Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh for outside legal counsel, at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account 1075, Misc. Services, Dept. of Law.

Also,

No. 2367 Resolution Repealing Res. No. 253, Item A, eff. March 22, 1991, which repealed Res. No. 877, Item B, approved August 24, 1990, which authorized the sale of a two story, brick house on a 17' x 82' lot, located at 713 Webster Avenue, 5th Ward, designated as Block 10D, Lot Lot 128, to Vicki L. Myers, for the sum of \$2,500.00.

Also,

No. 2368 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Which were severally read and referred to the

Committee on Finance.

Mr. Regan presented

No. 2369 An Ordinance amending Title Seven - Business Licensing, Article V - Trade Occupations, Chapter 741 - Warm Air Heating Contractors, Section 741.04 - Bond Required, by deleting this section in its entirety.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 2370 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 6927 Perrysville Avenue, Pittsburgh, PA 15202-1825, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of April 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, District #3, City Council. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2371

Report of the Committee on Finance for March 27, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2319

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of Seventeen Thousand Eight Hundred (\$17,800.00) Dollars, without previous authority of law, for payment to Chamber of Commerce Realty, Lawrence Rezak, President, for payment of rent at Chamber of Commerce Building for the month of March 1991.

Which was read.

Michelle Madoff:

On Bill 2319. If memory serves me well, I asked for information which I have not received. The information was, and I've asked for it over the years and received it, how much money are we spending in renting office space instead of perhaps creating space for ourselves. How long-term are they? It's in the millions of dollars.

I have no problem with CIS. I realize that they have to have space and I realize there's costs involved in moving equipment. But there are so many buildings that we own, so many vacated spaces that can be turned into wonderful functional buildings, that I had asked and not received the dollar figure on what currently we're spending on rentals.

I'm going to vote for this today but I would respectfully ask that the Clerk once more remind General Services to please give us that figure. Not just Michelle Madoff but every Member of Council needs to know the millions we spend renting space that we don't really need to spend.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2337

A Resolution entitled, "Resolution further amending Resolution No. 894 of 1989 as amended by Resolution No. 819 of 1990 and Resolution No. 923 of 1990 entitled 'Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of Grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and

employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account' by increasing the amount available for subcontractor agreements by \$10,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. RICCIARDI ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2372

Report of the Committee on Public Works for March 27, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2294

A Resolution entitled, "Resolution granting unto Timber Court Partners, 228 Isabella Street, their successors and assigns the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the right-of-way of Birn Way in the 22nd Ward, 6th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2295

A Resolution entitled, "Resolution granting unto John M. Bell, 383 Lehigh Street, his successors and assigns the privilege and license to construct, maintain and use at his own cost and expense, a wall on a portion of the sidewalk of Lehigh Street in the 7th Ward, 8th District of the City of Pittsburgh."

Which was read.

Mr. Cohen:

I would like my comments brought forward on Bill No. 2295, please.

(REMARKS ON FOLLOWING PAGE)

(MR. COHEN'S COMMENTS ON BILL NO. 2295 - Wednesday, 3/27/91)

Mr. Cohen:

Discussion please. Could you explain this? As I understand it from reading the bill, a wall was inadvertently constructed on a right-of-way.

Mr. Serpa:

Yes.

Mr. Cohen:

What I would like to know is does that wall obstruct the sidewalk, and what kind of affect would it have, if it does?

Mr. Serpa:

It doesn't obstruct the sidewalk at all. It is in the grass area between the sidewalk and the property line, and when they constructed the buildings, the wall was inadvertently extended beyond the property line.

Mr. Cohen:

How much?

Mr. Serpa:

About a foot and a half, two foot. What they need for clear title, they are looking for an encroachment for the existence of that wall.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 2297

A Resolution entitled, "Resolution vacating Butterfield Way between Eloise Street and Drim Way in the 22nd Ward, 1st Voting District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 2373

Report of the Committee on General Services for March 27, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2291

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bell of Pennsylvania for the purchase of REACT subscriber terminal units and for termination charges for the REACT Fire Alarm System in an amount not to exceed One Hundred Ten Thousand Five Hundred (\$110,500.00) Dollars."

Which was read.

Also,

Bill No. 2292

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts and/or an Agreement or Agreements or for the use of existing Contract(s) or Agreement(s), for the transfer of the City's REACT Fire Alarm System service to a private agency and providing for the deposit of all funds received from the transfer into the Telephone Services Trust Fund, Index Code 254631."

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward on Bill 2292 regarding the City's privatizing or basically entering into contracts with the private sector on the REACT Fire Alarm System.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2292 - Wednesday, 3/27/91)

Mr. Ferlo:

What can you give us in writing, Director, that shows us the cost to city and businesses under one plan versus the second plan you are proposing?

Mr. DiNardo:

The second plan that we are proposing, if I could just outline it for you, is the successful low bidder would have to maintain the city's current rates at least for one year. We believe, though, that in the end it will be an advantage for businesses to move into the private sector with this effort, because currently the city only provides fire alarm services, an outside vendor would provide them with intrusion alarms, burglar alarms, as well as fire alarms and whatever other kind of electronic surveillance gizmos they want or can provide. That combination of services has to result in a cheaper price for the building owner, because currently they pay us a fee and they currently pay another outside company to run a burglar alarm fee.

Mr. Ferlo:

Could you give us something in writing?

Mr. DiNardo:

We can give you our whole proposal. We can't assume what it is going to cost beyond the one year that we are recommending to building owners.

Mr. Ferlo:

Obviously under the new system there would no longer be the \$500.00 annual fee?

Mr. DiNardo:

That would be negotiated with whoever the company is, but our recommendation is so businesses don't get disrupted, that that fee be maintained for the balance of 1991.

Mr. Ferlo:

What prompted this? Did companies come to the city?

Mr. DiNardo:

No. It was internal to Public Safety, some of the issues that occurred at the emergency operating center.

Last night -- I double checked this morning -- there were six false alarms because of the storm that occurred. They were electrical outages that triggered the alarm. Chief Dickinson's operation dispatches six fire trucks --

Mr. Ferlo:

Do we have any lawsuits pending?

Mr. DiNardo:

Let me focus on it for a second. That is one of the biggest problems I have with the system, with REACT. They are not space rocketry, they are a very simple signaling system, but it is what we call "supervised." We know when something goes wrong in a building that is protected by these notification systems; that is an indication to dispatch that there is something wrong with the system. Example: If the power goes off, as it did last night, and it signals a low battery, we have to dedicate an engine company to go out and check on that. We have to get inside the building. We are liable that that system comes back in service again. If we can't get ahold of the owner -- and we all know how businesses change, how difficult it is in the middle of the night -- we have to sit on that for approximately 20 to 30 minutes before we can document through the EOC dispatch that we have been there, and then return to quarters, in incidents like last night. And it is not unusual in the summer in electrical storms we can have a third of our resources out sitting on those kind of alarms. It is impossible to deal with.

Mr. Ferlo:

You will forward this report to Council?

Mr. DiNardo:

Yes.

Mr. Ferlo:

One last question. Explain the transition of how this would happen.

Mr. DiNardo:

With Council's approval, we will be proposing an RFP. At that point, we will put that out only to underwriter lab approved companies. Then we will entertain the proposals and go through a bidding process.

Mr. Ferlo:

I meant in terms of moving from one system to the next.

Mr. DiNardo:

There should be no disruption of it. Part of what we proposed today is to buy the hardware so we own it. When the city owns it, then we can make the transfer to the successful bidder. It will require little, if any, further fire prevention inspections or alterations to businesses other than phone line changes. Instead of the city getting billed for the phone line, whoever the successful bidder is will get that.

Mr. Ferlo:

The successful bidder will buy back this equipment and then own it themselves?

Mr. DiNardo:

That's right.

Mr. Ferlo:

That can be done even if it is not compatible?

Mr. DiNardo:

The system as it is now is a functioning system. So what they would do is move the receiving point that is at the emergency operating center to their operation or similar equipment, make whatever system changes are necessary. There wouldn't be a disruption in the service, if that is the point of all this.

(Deleted text.)

Mr. Ferlo:

Mr. DiNardo, could you explain once again, I am sorry, on

the issue of price gouging, addressing the issue of how do we guarantee some fair price for the city as a customer? As well, I think we should be concerned about the private sector, and the cable company is a good example.

Mr. DiNardo:

Unlike cable, we have a competitive market. There are eight or ten vendors that participate in this in our city. So if we get in a situation where the successful bidder looks at us in a year or two and says, "I am doubling the fees," we will put it up for bid.

Mr. Ferlo:

You view this as a multi-year contract?

Mr. DiNardo:

We would hope it will be.

Mr. Ferlo:

Is there a way to contractually stipulate a differential between what they would charge the city being a municipal customer versus what they pay in the private sector?

Mr. DiNardo:

We could put it into the RFP, but I would be concerned that we would just be passing our saving off to the businesses.

Mr. Ferlo:

At some point it is better they than we. I would ask that you at least look at that.

Mr. DiNardo:

We could do that.

Mr. Ferlo:

If we are creating this, we should at least be favored customers and pay a lower rate.

Why aren't we collecting the penalties and fines associated with false alarms?

Mr. DiNardo:

My offering on that is of the 850 buildings on our system, we are fining ourselves. We are the proprietor of the system. In other cases, personally, I think the outside vendors are managing this better.

Mr. Ferlo:

We have an ordinance on the books regarding penalties and fines. In fact, the Administration came to Council a couple years ago asking us to increase the fines, but to my knowledge we have not actually collected any of that income even though we keep asking Council to approve higher rates for false alarm fines.

Mr. Dickinson:

Over a calendar year period, we will probably have a dozen buildings that create excessive false alarms. What we try to do with those buildings, and we are successful in most of them --

Mr. Ferlo:

Do you have any statistics on how many false alarms there are and how much revenue you collect as a result of issuing fines? If you could forward it to Council, I would appreciate it.

Mr. Dickinson:

Okay.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Mr. Ferlo:

I did note, and I'd like the Record to show that Director DiNardo did indicate that he would check with the Law Department. We raised the issue about the 15 to 20 buildings that are municipally owned that are currently under the REACT System. And I raised the point, which I think Director DiNardo said he would investigate further, and that is that we have some kind of differential on the amount that we would pay as municipal government turning over the system to the private sector versus what the private sector would pay.

If that's possible, legally, obviously I would like the City to think about that when they prepare the bid specifications. Obviously we're talking about a lot of money involved and we should be able to save some money.

Also,

Bill No. 2293

A Resolution entitled, "Resolution authorizing and director the City Controller to create a special trust fund to be designated as the Telephone Services Trust Fund, for the deposit of monies received from the transfer of the City's REACT Fire Alarm System service to a private agency, and authorizing the funds deposited therein for use by the Department of General Services for payment of expenditures relating to Citywide telephone services.

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 2374

Report of the Committee on Public Safety for March 27, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2303

A Resolution entitled, "Resolution permission is requested to enter into an Agreement or Agreements or the use of existing Agreement(s) for professional services to conduct training classes for candidates interested in becoming Paramedics in the Department of Public Safety and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on
Bill 2303.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2303 - Wednesday, 3/27/91)

Mr. Ferlo:

Not necessarily now, but could you just convey to us in writing, my understanding is there were a number of individuals including several minorities who were approved, who are currently paramedics, Paramedic II's, whatever the job slot is referred to on the paramedics, who went through all the initial testing and screening, and they are on a list waiting to be hired. Are they still up for consideration or are you now just dealing with the class and now giving those people jobs?

Mr. Cannon:

They are also up for consideration. We received permission from the Administration to hire additional paramedics and those people are being processed now.

Mr. Ferlo:

They have been calling me, bugging me, saying, "It is nice to have a training program, but I am already in this category."

Mr. Cannon:

They are going to be hired.

Mr. Ferlo:

Thank you.

(Deleted text.)

Mr. Ferlo:

Director, you made a statement and raised another question in my mind. On the issue of the classes, going back to the 16, recognizing that several hundred people most likely will want to apply, did I understand you to say that is only based on race and/or gender and not income?

Mr. Cannon:

That is correct. It is not income based at all.

Mr. Ferlo:

You mean, regardless of one's income, they might be eligible for this program?

Mr. Cannon:

As I said, it is exactly as a police officer or a fire fighter: We don't ask that question when we hire them.

Mr. Ferlo:

There is no consideration given to low income families or individuals?

Mr. Cannon:

There are not income guidelines for the hiring of -- this is not a poverty program in any way, it is a city employment training program.

Mr. Ferlo:

I want to be on record objecting to it. I think given all the unemployed young people, women and minorities, especially in the low income communities and public housing communities of this sort, I am disappointed.

Mr. Cannon:

There may well be lower income individuals or people that have no jobs at all.

Mr. Ferlo:

That should be our first priority with the expenditure of public dollars. That should be our first priority. I think middle class kids or higher income kids have more ability to go to community college and go to professional vocational schools for proper training. I would hope that we would continue to have a goal in this city providing an opportunity to people disenfranchised.

Mr. Cannon:

I think that certainly is a goal and that remains a goal. But everything that is done must be done equally as the court recently stated. It is not to say that the city cannot be

committed to affirmative action and employment of low income individuals.

Mr. Ferlo:

I think affirmative action in this case, part of the issue is not only increasing the female composition of the paramedics, but also minority composition. But I was also led to believe -- at least I presumed, unfortunately incorrectly -- that also part of a priority would be continuation of the city recognizing that we have disadvantaged families in this city needing an opportunity.

Mr. Cannon:

I don't think you have heard me say that is not the case. What I said was this is not a program based on that.

Mr. Ferlo:

I said I presumed it incorrectly.

Mr. Cannon:

And this training program is geared for minorities. There is not a gender problem in EMS, there is a minority problem in EMS. There have been females in EMS since the day it started, and they have been represented in all of our public services, probably more percentage-wise than any other branches. But what are severely under-represented is minorities.

Mr. Ferlo:

You are telling me that I am spending city tax dollars to train a minority and/or female if their parents make \$80,000.00 or \$100,000.00 a year?

Mr. Cannon:

I have not seen anything that relates to guidelines related to income, and I am also saying that we are trying to do this in the same manner as we train firefighters and police officers, and we don't ask you how much money you make when we hire you to be a firefighter or police officer.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 2375

Report of the Committee on Engineering and Construction for March 27, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2250

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program;

and approving the 1991 through 1996 Capital Improvement Program,' by providing 1991 funding for EC 244 (Public Safety Riverfront Facility)."

Which was read.

Also,

Bill No. 2251

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts in connection with the EMS Riverfront Development; and providing for the payment of the costs thereof."

Which was read.

Mr. Ricciardi:

Mr. President, I'll be voting no on Bills 2250 and 2251. It's mind boggling how we can continue on the second phase of the River Rescue Center when we were on tour and the general contractor himself said that he could not say that the landside building is structurally sound. So, when we have a general contractor who is building the landside building and he tells us that he's not sure if it's structurally sound, I believe continuing with \$2 million of taxpayers' money could be a mistake.

Mr. Ferlo:

I'm also voting no on both bills for the same reasons. We're obviously entering into quicksand here regarding the construction activity of the land side building. We're going to have more head aches with the proposal that's before us today.

As I stated earlier and have voted consistently in opposition, I'm opposed to the

construction and the financing by City taxpayers of a multi-million dollar rescue center that is not our responsibility. We can't even police our own City streets and now we're proposing to take over the rivers, which we cannot do. We're opening ourselves up over the next decade to liability lawsuits which I resent, and it's a bad use of public tax dollars. Let's worry about providing police protection first. Let's do that for a change and then we'll talk about other grandiose Public Safety endeavors.

Michelle Madoff:

Mr. Wagner, those of us who have been here a long time remember that the City has been sued and we have had great liability because we did not have the proper equipment available in the right place at the right time to save people who had either been pushed or jumped or tried to commit suicide or had accidents in our rivers. It is our responsibility. There are more and more people using the rivers and we have an obligation to do that.

I think it is foolhearty to say that we should not protect it because I think the cost of liability is greater than the dollars we're going to put into this project. However, if the primary contractor feels that he is jeopardizing his well being and proceeding along the line of doing the development, then let him step aside and we'll get somebody else.

The questioning and answering period that we had here with the Engineering Department, we were assured that there were engineering stamps, that there was an assurance that what we were doing was correct and appropriate.

And the one thing that we keep forgetting, and I used to forget it on my early days on Council 13 years ago, is that we are not the Administrators of the City. We approve the

dollars for the projects if we deem them to be appropriate. If my colleague, Mr. Ferlo, thinks it's not appropriate and does not wish to vote for it, then I respect his right to do that. However, something has to be done to save and protect the liability and the claims against this City and I think we must move in all haste to get this bill.

Mr. Cohen:

Mr. President, I think we have to look at the reality of the situation, and that is that the City has already spent almost \$2 million for a landside building. That building is almost completed. For us to not support this bill to complete this project would be a waste of taxpayers' money of nearly \$2 million of taxpayers' money, because that building which is almost completed would be an abandoned, vacant building on our riverfronts. And the reality is that only by completing this project are we going to have an efficient use of taxpayers' money.

Moreover, we can say it's not our responsibility for river safety, but it is. The City has already suffered large liability claims.

So, the reality of the situation is, we have to support this project and do the responsible thing.

Mr. Ferlo:

In response to the liability and legal issue. If the police officers several years ago had been walking the beat on Butler Street instead of dragging somebody through the river upside down in the water, we wouldn't have had a lawsuit. So let's lay that on the table. Let's not talk about we've already incurred legal liabilities. That's just not the case.

As far as the building, we can give it to the Regatta for a home or some other use.

Mr. Regan:

Does the Councilman have the name and address of that guy that was dragged upside down?

Mr. Ferlo:

He was probably a County resident.

Mr. Ricciardi:

Just in response to one of my colleagues' comments. I'm not saying we should turn our back on the landside building, but how can we continue with \$2 million of taxpayers' money when we're not sure, and the general contractor himself says that that building might not be sound.

So, before we continue on a \$2 million second phase, what I'm saying is, we should step back, look at those flawed architectural design plans which the City admits were flawed, before we continue with our second phase.

The Chair:

I'd like to make a comment. The real issue in front of us, in my opinion, is the safety of the public here. And we all know that the present facility is inadequate on the South Side. Anyone that has been there knows that. And we have a tremendous life safety issue in front of us now. We've never really had a serious accident on our rivers, but we have Gateway Clipper Fleets with 400 and 500 people on them. If one of those boats ever go down in our rivers, we better have the capability of rescue.

There's tremendous traffic on our rivers with industry. There's also more and more recreational traffic every year. We absolutely, positively need river safety rescue capability.

I don't like the fact that this cost has gone up also, but, quite frankly, we're in a situation where we need to build this facility. It's halfway built so we need to continue with it and therefore I'm voting to approve it.

Michelle Madoff:

One last comment. We all talk, and let's not have just rhetoric; let's put our money where our mouth is. We talk about developing our rivers. We talk about marinas. We talk about bringing people to this City. We talk about bringing population back. This is vital. And now we're going to say, "Well, we don't care if they get on the river and get hurt." This is nonsense. Let's get on with it.

Mr. Ferlo:

So I'm not confused here, I'm not opposed to developing river rescue. That's something we need to do in the 90s. My basic issue is, and you should know this better than anybody, about the fact that we do not control the rivers, and that is that this expenditure should be borne out by County and/or State tax dollars, not the City of Pittsburgh.

The Chair:

The problem is, they won't do it.

Mr. Ferlo:

I understand. I'm just stating my position.

Michelle Madoff:

So, therefore, we should let people drown, right?

The Chair:

Is there any further discussion on the

bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2290

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Preventive Maintenance on Various Bridges, including but not limited to Davis Avenue Bridge (Council District #1), Herron Avenue Bridge (Council District #7), and Edgebroo, Avenue Bridge (Council District #4); and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

A very quick request of the City Clerk. Could we please find out what an assurity bond is as it relates to elected officials or employees of the City in whatever capacity to know who is covered, who isn't covered, because I was sort of surprised to hear the term and I'd like to know who it relates to.

I want to understand, also, what omissions and errors coverage is and what kind of claims are paid out of our claims allocation in the Law Department.

Those are the three issues I would like Council to be informed of so we don't get something sprung on us.

Mr. Millions:

Mr. President, is it in order for me to say a few words about the bill that I introduced today?

The Chair:

Sure. But I would reserve debate on it until it comes into Committee.

Mr. Millions:

Thank you.

I would like to say that this Council is obliged both by the Pittsburgh City Charter and the one-man, one-vote ruling of the United States Supreme Court to redraw district lines according to the new census.

My bill proposes that we take a professional approach to that process. I am proposing that we hire a qualified consultant to analyze the census data and to make recommendations to us about new district lines.

If we fail to adopt such a procedure, we risk having to pay attorney fees as a result of the law suits that will surely follow. I do not know whether it would be possible to draw 7 districts fairly. I doubt it. But, I won't know and neither will anyone else until we take a careful look at the census.

But, there is an even larger issue than this one. The people of Pittsburgh have a remarkable amount of confidence in their City government and in all of us. If we do not go about reorganizing our districts in an orderly fashion, we risk more than a law suit and high attorney's fees. We risk chaos. We risk the loss of confidence of all Pittsburghers in their government. Under a reduced district plan, some neighborhoods would face 3 separate Council elections over the next 6 years. The obvious benefits of continuity of representation could be lost.

Several years ago, one of our colleagues ran a very effective campaign on the theme "Stop

The Circus". For the past year, we have worked hard to run this Council in a professional and responsible way. If we do not handle this issue wisely, the circus could well be back in town and its headquarters, once again, could be right here in this Chamber.

I thank you.

The Chair:

I would like to respond. I'm not going to debate the issue, but I clearly want to state on the Record that I fully understand the redistricting process and I understand that we have until the end of 1992, as mandated by law, to redistrict. That is under the 9 system or under the proposed 7 system that I am suggesting.

I simply want to state for the Record that I have represented professionalism in this Council and will continue to do so. And my proposal to go from 9 to 7 is professionalism in response to the needs of this City and loss of population and loss of tax base. Whether or not it passes this Council remains to be seen, and that's not the issue that's here in front of us today. My proposal is a simple, clean proposal that I am putting in front of the public and I am putting in front of Council. I guess only the future will decide whether or not it passes and I'm willing to test that.

Michelle Madoff:

Not debating the issue, but talking to the fact that was brought up by both of my colleagues. Under law, before we can sub-divide based on the new reapportionment, somebody has to determine what would happen. And there has to be somebody hired to do that anyway. And it would seem to me that whoever is going to do that could also look at the various 7 - 9 and find out what, if anything, should be done to change.

Somebody said to me, "But it's going to cost so much money to do this." And I'm saying that it isn't going to cost any more than we would spend normally because under law we have to find out what the reapportionment would be. Therefore, we should look at all options and decide whether, indeed, changes should be made.

Personally, I have to tell you that I have never enjoyed working as a Councilmember in all the years that I have served on Council since 1978 as I have with this Council. You're all gentlemen, you treat me with respect. We've had our spats but we disagree without being disagreeable, which only goes to prove that it wasn't me in all the years passed.

Mr. Darkins:

Mr. President, I'd just like it to be part of

the Record that I join Dr. Milliones in his proposal. After listening and hearing from people and taking full consideration, we're looking for the best interests of everyone concerned.

The Chair:

Thank you.

Mr. Cohen moved to approve the Minutes of Tuesday, March 26, 1991.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Coyne**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, April 9, 1991

No. 15

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, April 9, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I'd like to have a moment of silence for Senator Heinz and the six other people that died in the plane crash this past week. Thank you.

PRESENTATIONS

Mr. Cohen:

Good morning everyone. Please excuse my voice this morning; I have a cold but I don't want it to prevent me from giving this resolution to Rabbi Poupko. If Rabbi Poupko and Rabbi Kletenik could come up here, I'd appreciate it, please.

Mr. Cohen presents

No. 2403 WHEREAS, Rabbi Dr. Baruch A. Poupko was born in Veliz, USSR and is a scion of the distinguished Poupko Rabbinic Family; and

WHEREAS, Rabbi Poupko attended Yeshiva University, was ordained in 1941 and soon thereafter arrived at Pittsburgh's Shaare Torah Congregation; and

WHEREAS, Rabbi Poupko has held many leadership positions both locally and worldwide, including the National President of Religious Zionists of America, Vice President of the Rabbinical Council of America, President of the Rabbinic Council of Pittsburgh, Co-Founder

and Chairman of the Pittsburgh Conference of Soviet Jewry, and Chairman of the Rabbinic Fellowship of Greater Pittsburgh; and

WHEREAS, Rabbi Poupko is recognized as a multi-lingual author, teacher and lecturer, and has worked tirelessly on behalf of Soviet Jewry.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Rabbi Poupko for his significant contributions to Pittsburgh and the Jewish community on the occasion of his 50th Jubilee Year at Shaare Torah; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims April 14, 1991 as "Rabbi Dr. Baruch A. Poupko Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank very much, Members of Council. Rabbi Poupko is being honored by the entire Jewish community on Sunday and I thought that this was a perfect occasion for him to be honored by the City of Pittsburgh also. It is his 50th year as Rabbi of Shaare Torah Congregation and Rabbi Poupko has not only been a pillar of the Pittsburgh Jewish community but is also recognized nationally and internationally as a scholar and as a teacher.

I went to the Soviet Union in 1987 to visit Refusniks, people who were not being allowed out of the Soviet Union. We went to visit them and to deliver books and medicine. The person I heard most about when I was there, the American

that I heard most about was Rabbi Poupko. Now I know why. Rabbi Poupko really is a Rabbi in the truest sense of the word. He is a teacher and he is a scholar and I'm very happy that he's joined today by Rabbi Kletenik who is, among many other things, the Principal of Hillel Academy.

So, congratulations, Rabbi Poupko. I hope you have at least another 50 years as Rabbi of the Congregation, and I congratulate you.

Rabbi Poupko:

Mr. Cohen, ladies and gentlemen, I am very grateful, very much moved by this very kind gesture on behalf of this City Council. I appreciate it very much. This will be among my most cherished moments to remember and to appreciate. God bless you all.

Rabbi Kletenik:

On behalf of the Shaare Torah Congregation, one of the oldest Synagogues in Pittsburgh, on behalf of the Rabbinical Council of Greater Pittsburgh, I would like to thank Councilman Cohen and the entire City Council for bestowing this richly deserved tribute upon Rabbi Poupko. It is something which we sincerely appreciate. Thank you.

Mr. Regan:

Rabbi, I feel bad that I don't have my yamulka here this morning, but I would like to say, "Zei Ge Zunt".

Mr. Darkins:

Rabbi Poupko, I would also join Councilman Regan in saying, "Zei Ge Zunt".

Rabbi Poupko:

Thank you very much.

Mr. Darkins presents

No. 2404 WHEREAS, April 8-13, 1991 is Pittsburgh Association of Real Estate Brokers, Incorporated Week in the City of Pittsburgh; and

WHEREAS, the Pittsburgh Association of Real Estate Brokers, Incorporated is an affiliated, but an autonomous chapter of the National Association of Real Estate Brokers, Incorporated; and

WHEREAS, the Pittsburgh Association of Real Estate Brokers was founded in 1947, and is the oldest and largest minority trade association in America with its membership consisting primarily of African Americans and other minorities; and

WHEREAS, the Pittsburgh Association of Real Estate Brokers, Incorporated was formed to promote professional activities for its members and the general public to achieve the ideals of the realists mandate, "Democracy in Housing"; and

WHEREAS, the Association has planned a series of workshops and seminars during the week of April 8-13, 1991 at Community College of Allegheny County - Homewood Branch, which are designed to stimulate public interest, educate attendees and encourage the ownership and improvement of real estate as well as the formation of investment groups.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Pittsburgh Chapter President Gloria Spearman and the Board of Directors of the Pittsburgh Association of Real Estate Brokers, Incorporated for their dedication to improve the standards of real estate trade and enlighten those interested with the tools needed to further their position in the real estate business.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Ms. Spearman:

On behalf of the Pittsburgh Association of Real Estate Brokers, I'd like to thank the Council for giving us this proclamation this day simply because we have been working tirelessly to affect some change in the housing industry in the City of Pittsburgh. We have gone to Washington, we have gone to Los Angeles, we've gone to Atlantic City to meet with other groups throughout the United States to bring some programs here to Pittsburgh. We are affecting those programs, it is working, and we're seeing a change.

This is quite an honor to receive this resolution today and I want to thank you on behalf of the organization, Pittsburgh Association of Real Estate Brokers.

Speaker:

As Second Vice-President of the National Association of Real Estate Brokers Association in Pittsburgh, I'd like to commend the Members of Council in presenting this resolution to us. I think the efforts that we are advocating here in the City of Pittsburgh are very much consistent with the housing policies that the City is presenting now in the City. I think that what we will try to do in the near future will be to strive to improve the housing stock in the City and also promote ownership in the City of Pittsburgh. Thank you very much.

Mr. Darkins presents

No. 2405 WHEREAS, Kappa Alpha Psi Fraternity is an organization dedicated to the

uplift of all people; and

WHEREAS, Kappa Alpha Psi Fraternity has not only excelled at the undergraduate level but continues to rise above the rest at the graduate level; and

WHEREAS, Kappa Alpha Psi Fraternity's Pittsburgh Graduate Chapter has a bright history that spans over 50 years; and

WHEREAS, Kappa Alpha Psi Fraternity Nupes are holding their annual regional meeting from April 11th to April 14th; and

WHEREAS, the highlight of the regional meeting will be the dedication of a headstone for one of the fraternity's founders from Pittsburgh, Dr. Marcus P. Blakemore; and

WHEREAS, Kappa Alpha Psi Fraternity is a Greek letter organization worthy of all the respect and honor of its people and community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proclaims Saturday, April 13, 1991 as Kappa Alpha Psi Fraternity Day in the City of Pittsburgh and furthermore recognizes the invaluable contributions of Dr. Marcus P. Blakemore to all mankind.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 2406 WHEREAS, Freewheelers is a non-profit organization that provides wheelchair-using elderly and disabled residents of nursing homes and personal care homes with "Day-on-the-Town" outings; and

WHEREAS, Freewheelers is an agency comprised of dedicated professionals who are determined to improve the living standards of all Freewheelers; and

WHEREAS, Freewheelers currently has over 260 trained volunteers, individuals, couples and groups who help push wheelchairs and provide companionship; and

WHEREAS, Freewheelers began at the bequest from the Anna R. Johnson estate and grants from the United Way, The Pittsburgh Foundation, Allegheny County Departments of Aging and Mental Health/Mental Retardation, and Richard King Mellon Foundation.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims April 8, 1991 "Freewheelers Volunteer Recognition Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Coyne and Mr. Milliones present

No. 2407 WHEREAS, Tuesday, April 9, 1991 will be observed as National POW/MIA Recognition Day in the City of Pittsburgh for all those missing in action from World War I, World War II, Korean War, Vietnam War and Desert Storm; and

WHEREAS, there are still approximately 2,500 American POW/MIA's unaccounted for from the Vietnam War; and

WHEREAS, 125 POW/MIA's are from the State of Pennsylvania, including 20 residents

of Allegheny County, and 11 men who resided in the City of Pittsburgh; and

WHEREAS, on Tuesday, April 9, 1991 at 10:00 a.m., a ceremony and service for those still missing in action will be held at the Veterans Administration Medical Center, Highland Drive, Pittsburgh, Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize April 9, 1991 as "National POW/MIA Recognition Day" in an effort to increase public awareness on this issue and thereby assist in resolving the fate of our missing men; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports the ceremonies scheduled for Tuesday and joins the nation in recognizing April 9, 1991 as "National POW/MIA Recognition Day".

Mr. Coyne moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Milliones presents

No. 2408 WHEREAS, Hand In Hand, Inc. is an organization which awards scholarships to interracial groups of high school students throughout the County who have kept the goals of Martin Luther King, Jr.; and

WHEREAS, Hand In Hand, Inc. will hold a Community Service Awards Dinner on April 13, 1991 at the Sheraton at Station Square to honor persons who have helped achieve the goals of this organization; and

WHEREAS, Hand In Hand, Inc. will honor Alfreda L. Tyson who has served as

President since the inception of Hand In Hand, Inc. 20 years ago; and

WHEREAS, Hand In Hand, Inc. will present commendations to the 1991 Hand In Hand, Inc. Award Winners, namely: Reverend Donald O. Clay, Jr.; Rod Doss; Jacques Kahn; Doris Brevard; Dr. Frank G. Sessoms; J. Matthew Simon; Joanne Pincus; and Joann Monroe.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends National President Alfreda L. Tyson for her dedication, devotion and love; and

BE IT FURTHER RESOLVED, that the Council congratulates the 1991 Hand In Hand Award Winners for their contributions to community service which help to keep the dream alive.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair presents

No. 2409 WHEREAS, Donald M. Carroll, Jr. is the Secretary of the Pennsylvania Department of Education and is responsible for all elementary and secondary education, instructional television, education in the State pension system, the public libraries, vocational education and teacher certification; and

WHEREAS, prior to serving as Education Secretary, Mr. Carroll served as the Superintendent of the Harrisburg City School District, was a consultant to more than 100 school boards and districts on education projects, and served four Governors, David Lawrence,

William Scranton, Raymond Shafer and Milton Shapp, in various capacities in the Department of Education; and

WHEREAS, Mr. Carroll is a graduate of Langley High School and the University of Pittsburgh and began his career in education as an elementary school teacher in the Pittsburgh Public Schools; and

WHEREAS, Donald M. Carroll, Jr. will be honored for his many contributions to education at a dinner on April 11, 1991 in Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and congratulate Donald M. Carroll, Jr. for his outstanding contributions to education in the City of Pittsburgh and the Commonwealth of Pennsylvania.

Mr. Cohen moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

Most of those resolutions were presented outside of Council Chambers.

Mr. Coyne presented

No. 2385 Resolution providing for an Agreement of Lease with Commerce Realty Associates, L.P., for certain office, computer and storage space, together with the right to use in common with others the common areas in the Chamber of Commerce Building, 411 Seventh Avenue, Pittsburgh, PA 15219, for a term of three (3) years, at an annual rent not to exceed \$252,199.92, for the period of April 15, 1991

through April 14, 1992; \$252,199.92 for the second year from April 15, 1992 through April 14, 1993; and \$252,199.42 for the annual term from April 15, 1993 through April 14, 1994, for the purpose of securing space to be used for administrative functions by the Mayor's City Information systems Office (CIS), subject to and contingent upon the annual appropriation by City Council for funds stated in Agreement of Lease, chargeable to and payable from Code Account 1128, Misc. Services, Dept. of General Services.

Which was read and referred to the Committee on General Services.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 2386 Resolution providing for the issuance of a warrant in favor of Louis J. Viglione Contracting Company, in the amount of \$59,645.00, in payment for excavation, backfill, concrete and miscellaneous material for emergency repairs on Banksville Road, chargeable to and payable from Code Account PW 89-01, Citywide Resurfacing Program.

Which was read and referred to the Committee on Finance.

Also,

No. 2387 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the repaving of various areas throughout the City of Pittsburgh with reclassified

blockstone or brick surfacing and other work incidental thereto, at a cost not to exceed \$300,000.00, chargeable to and payable from Code Account Brick St. Restoration.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed

Also,

No. 2388 Resolution providing for an Agreement or Agreements, or the use of existing Agreements between the City of Pittsburgh, Pittsburgh Water and Sewer Authority, Mt. Lebanon Municipality and Baldwin Borough providing for the cost of construction of a public sewer in the Dorchester, Queensboro Area of the 19th Ward of the City of Pittsburgh, at a cost not to exceed \$16,500.00.

Which was read and referred to the Committee on Public Works.

Also,

No. 2389 An Ordinance supplementing and amending the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, by changing 161.19 Development Proposals; Minority Participation Plan. —(SPONSORED BY MR. DARKINS & MR. MILLIONES)

Also,

No. 2390 An Ordinance supplementing and amending the Pittsburgh Code, Title One, Administrative, Article V, Legislative, Chapter 151, Council, by changing Section 151.09, Participation Programs for Minorities and Women; Reports. —(SPONSORED BY MR. DARKINS & MR. MILLIONES)

Which were read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 2391 Resolution authorizing the Mayor and the Director of Planning to enter into an Agreement or Agreements with the Carnegie for the use of Commonwealth funds for the consideration of the Carnegie Science Center, at a cost not to exceed \$500,000.00, chargeable to and payable from the Carnegie/DCA Trust Fund.

Also,

No. 2392 Resolution approving a Conditional Use Exception under Section 993.01(a)A(4) of the Pittsburgh Zoning Code, Title Nine, Zoning, Article V, Chapter 993 to Rajiv R. and Swarna Varma for authorization to use the property located at 1823 LOCUST STREET as a parking area for six (6) automobiles on property zoned "R2" Two-Family Residence District to service an office building located at 1811 Boulevard of the Allies, 1st Ward.

Also,

No. 2393 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapter 989 "Parking and Off-Street Loading" by revising the amount of parking stalls required for a new or expanded (food supermarket) retail store primarily for the sale of food with self-service facilities and more than four (4) check-out booths.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 2394 Resolution providing for the issuance of a warrant in the amount of \$2,120.00 to Christine Huber, 1065 Spring Garden Avenue, Pittsburgh, PA 15212, in full settlement of claim for condemnation of property, 24th Ward of the City of Pittsburgh, payable from Code Account 1502, Department of Public Works.

Also,

No. 2395 Resolution authorizing the Mayor and the Director of the Finance Department, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh, to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' property in the 21st Ward of the City of Pittsburgh to the Pennsylvania Dept. of Transportation. Deed to be in Quit Claim for a total consideration of \$1,000.00. Property is located at 1263 Ridge Avenue, Block and Lot 7-G-140, Acquired 1983 T.S. #539, from Michael Chorba, Washington Realty Company.

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 2396 An Ordinance amending Title Seven - Business Licensing, Article IX - Amusement Business, Chapter 777 - Mechanical Amusement Devices, Section 777.05 - License Fees by creating one category for Mechanical and Electronic Amusement Devices. The proposed legislation equalizes the fee for both types of machine by an increase of \$25.00 for the manual dexterity, while decreasing the fee for non-manual dexterity machines. Overall, this

should result in an increase in revenue. The distinction will be done away with, but actual revenue realized by the City should increase.

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2397 Resolution providing for an Agreement or Agreements with the Walter H. Drane Company for professional services in connection with the preparation and printing of a supplement to the Pittsburgh Code at a cost not to exceed \$16,500.00 plus delivery charges not to exceed \$100.00, chargeable to and payable from Code Account No. 1005-3, Printing Pittsburgh Code.

—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Michelle Madoff:

I checked through the Minutes and I noticed that we requested some information on assurity bonds and some information as to what is happening and how it relates to Members of Council. I have not received an answer; have you? Would you follow up on it, Mr. Perry?

And would you please make sure that Mr. Specter is here at our next meeting because we had to delay legislation last time because he wasn't here.

The Chair:

Mr. Perry, could you please develop a list of all information that we have requested in regard to various bills and various issues and

provide that to all Councilmembers?

Michelle Madoff:

That we haven't had answers to.

The Chair:

Yes, that we have not had answers to.
And the dates on which they were requested.

Mr. Perry:

Okay.

The Chair:

Thank you.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2398

Report of the Committee on Finance for April 3,
1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2336

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Strassburger, McKenna, Gutnick & Potter, Attorneys at Law, for settlement of all claims of Michelle Madoff in connection with subpoena/deposition in the case of Ben Woods, at a cost not to exceed \$507.70."
---(SPONSORED BY MICHELLE MADOFF)

Which was read.

Also,

Bill No. 2338

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 2359

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain properties, under Act No. 171 of 1984, entitled 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 2360

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-B Job Training Partnership Act Program and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2361

A Resolution entitled, "Resolution further amending Resolution No. 731 of 1990 as amended by Resolution No. 1285 of 1990 entitled 'Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A State Educational Grant Program and providing for the payment of the costs thereof' by increasing the amount available to subcontractor agreements by \$12,069.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 7 NOES none

(MR. RICCIARDI ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2399

Report of the Committee on Public Works for April 3, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2321

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for North Negley Town Homes."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2400

Report of the Committee on Planning, Housing and Development for April 3, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2322

A Resolution entitled, "Resolution directing the City Controller to establish a trust fund for the receipt of Commonwealth funds for the construction of the Carnegie Science Center."

Which was read.

Also,

Bill No. 2323

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Planning to enter into an Agreement or Agreements with the Carnegie for the use of Commonwealth funds for the construction of the Carnegie Science Center, and directing the City Controller to establish a

trust fund."

Which was read.

Mr. Cohen:

I'd like my remarks brought forward on Bills 2322 and 2323, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NOS. 2322 AND 2323,
WEDNESDAY, APRIL 3, 1991)

Mr. Cohen:

Directors Downing and Sciulli are here.

Director Downing, these are both state funded. The DCA has provided us with these monies for The Carnegie; is that right?

Ms. Downing:

That's right.

Mr. Cohen:

My question is more related to the engineering aspect of it because that involves City money and Director Sciulli, we have talked about this a little bit before but if you could explain just the major terms of the agreement with The Carnegie on how much the City, the State and the County are paying and particularly what the City is donating to The Carnegie for this project.

Dir. Sciulli:

I guess it starts back and Jane can jump in here if I'm incorrect. It started back in 1985 and 1986 with the Strategy 21 Program with the state capital budget and that allocation I believe was for \$13.8 million and then there was a second package that was put through with the Planning Department for roughly \$3.1 million and that was all state money with the Department of Commerce and DCA money. The local funding for this project, the total City commitment for the project is \$1.5 million and Allegheny County's commitment is \$1.5 million.

Mr. Cohen:

Did you say what the Strategy 21 was?

Dir. Sciulli:

It's \$13.8 million. The three bills that are in the Committee of Engineering and Construction refer to the local funding aspect of it. Bill No. 2352 decreases a line item in the URA 1988 budget of \$600,000.00 and Bill No. 2351 creates a new line item in the capital program for the engineering and construction budget transferring that \$600,000.00 from the URA to the City. Then Bill No. 2353 takes the existing money that was in the trust funds for the North Shore Drive Trust Fund, that was the balance that was remaining after the road improvements of \$540,000.00 along with the \$600,000.00 transfer

gives you a total of \$1,140,000.00 and then we'll enter into an agreement with the Carnegie Science Center for that amount.

Mr. Cohen:

What will the City money be used for?

Dir. Sciulli:

This is for the construction of the Science Center.

Mr. Cohen:

The City donated land as well, did they not?

Dir. Sciulli:

Originally the land that the Science Center is on was owned by the City.

Mr. Cohen:

What is the approximate appraisal value of the land?

Dir. Sciulli:

I think in the estimates that were put together I think the land view was estimated at \$5 million.

Mr. Cohen:

So the City is really giving about \$6.5 million.

Dir. Sciulli:

Yes.

Mr. Cohen:

I wish the County were giving more. I think it's a good project and the problem that I have with the bills is a minor one and that is that we are taking \$600,000.00 in Bill No. 2351 and \$600,000.00 in Bill No. 2352 and unless my math is right when I add those together I get \$1.2 million.

Dir. Sciulli:

It's the same \$600,000.00. The \$540,000.00 is what was in the North Shore Trust Fund after we had done the road improvements to the Science Center. Now this \$600,000.00 plus the \$540,000.00 that was existing gives you the \$1,140,000.00.

Mr. Cohen:

Okay, that's answers my question. I think it's a good project and look forward to seeing it when it's completed.

One more question. Maintenance. Are we giving any commitment to The Carnegie with respect to maintenance of the building or the land? Is there any continuing commitment here?

Ms. Downing:

No.

Mr. Cohen:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 2324

A Resolution entitled, "Resolution further amending Resolution No. 1451, effective January 1, 1991, as amended, entitled 'Resolution adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program' by changing a code account number (PENN-LIBERTY CULTURAL DISTRICT STREET IMPROVEMENTS)."

Which was read.

Also,

Bill No. 2325

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Whale's Tale for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2326

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bethlehem Haven for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2327

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Miryam's for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2328

A Resolution entitled, "Resolution providing for an Agreement or Agreements with North Side Common Ministries for the payment of maintenance, operation, insurance, utilities, furnishing costs, and provision of essential services to the homeless under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2329

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community Human Services for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2330

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with the Women's Center & Shelter for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2331

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Womenspace East for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2332

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Light of Life Rescue Mission for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2333

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Salvation Army (3rd Avenue) for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2334

A Resolution entitled, "Resolution providing for an Agreement or Agreements with East End Cooperative Ministries for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 2335

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the YMCA - Centre Avenue for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins

Michelle Madoff
Mr. Regan
Mr. Ricciardi

Mr. Ferlo

Mr. Wagner
(Pres't)

first served, unless there is an unsafe condition on a lot making it an emergency lot.

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 2401

Report of the Committee on General Services for April 3, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2320

A Resolution entitled, "Resolution the Mayor and the Director of the Department of General Services, on behalf of the City of Pittsburgh, is hereby authorized to enter into a Lease Agreement or Agreement, approved by the City Solicitor, for the leasing of a City-owned tractor with plow, as follows: 1981 Model #126581, Serial #0678645 and Flail Mower, as follows: 1988 Model #0710, Serial #VT88057-88, to NeighborFair, Inc."

Which was read.

Mr. Ricciardi:

I will be supporting this bill, 2320, leasing a tractor and a mower to NeighborFair/Pittsburgh Clean City Committee. I believe it is important for the City of Pittsburgh to continue to support this type of program for cleaning up City-owned lots. However, my concern raised last week was that we stay with the policy which is first come,

After discussion with officials with the Pittsburgh Clean City Committee, it was readily admitted to me that there were lots scattered throughout the City of Pittsburgh, including seven lots in the West End, four lots in Lawrenceville, four lots in Beltzhoover, two lots in Polish Hill, and others scattered throughout the City of Pittsburgh that were not taken in the order that the complaints were filed.

The lots that were being worked on last week were put in August of 1990. The lots that I have mentioned were put in way before August of 1990. I received word of the official of the Pittsburgh Clean City Committee that they would go back to the policy and hopefully this week and next week go back and clean up the lots that were not taken in order.

I support this bill. I support Pittsburgh Clean City Committee, but I believe that we must stay with that policy, and that is first come, first served. Thank you.

Michelle Madoff:

With due respect to my colleague, Mr. Ricciardi, I would normally support what he said except that what I read in the papers, and of course we know there's never anything that's inaccurate in the papers, but what I understand was that when you bring a crew into an area it is more cost effective to concentrate on that area. My understanding is that each area will be addressed in a very timely fashion. And I would not mind if my district was next. But I think it would be foolish to go to one in Polish Hill and then one in the West End and then one in Squirrel Hill. I think that maybe they need crews to go into each district, or maybe two districts at a time. So, I would like to look at that from sort of the bigger picture, not from my district or somebody else's

district.

Mr. Regan:

I'd like to support my colleague, Mr. Ricciardi. I think that he's absolutely right because we can't hand pick certain areas because of pressure groups or political pressure. I think that it should be one fair way of doing it and I think at this particular time that's the fairest way of doing it and I wholeheartedly support Councilman Ricciardi.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 2402

Report of the Committee on Engineering and Construction for April 3, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2317

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of the Warrington Recreation Center and the Warrington Avenue Wall; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2318

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or

use of existing Contracts for the purchase of property and construction of the EMS prototype stations including but not limited to EMS #2 at Bausman Street, Council District #3; and providing for the payment of the costs thereof."

Which was read.

The Chair:

I would like this bill to be recommitted due to the lack of appropriate information provided. I requested it at last Wednesday's meeting. Certainly I want to see the project move forward, but I'd like some information first.

Mr. Regan:

So moved.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

Bill No. 2351

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by creating a new line item (EC 91-51, North Shore Drive Trust Fund Transfer)."

Which was read.

Also,

Bill No. 2352

A Resolution entitled, "Resolution further

amending Resolution No. 1094, effective January 1, 1988, as amended, entitled 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by decreasing a line item (UR88-32) Three Rivers Stadium Development Project by \$600,000.00."

Which was read.

Also,

Bill No. 2353

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with THE CARNEGIE, for site development of the Carnegie Science Center associated with the North Shore Drive Development; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Everyone is aware that tomorrow's meeting has been rescheduled until Thursday to give us the opportunity to go to Senator Heinz' funeral.

Mr. Regan:

Mr. President, I would like at this time to pay tribute to Senator Heinz who I think was a great man and a great loss to the City of Pittsburgh.

I think that he and his family have been very, very good to the City of Pittsburgh and especially the North Side area that I represent providing jobs for people so that they could work and support their families, pay off their houses and educate their kids.

I would like to pay tribute at this time to John Heinz and the Heinz family. It's a great loss to the City of Pittsburgh and it's also a great loss to our neighborhoods on the North Side.

I also would like to say that our hearts in the City of Pittsburgh go out to those two little girls who were killed in the school yard because the school yard is supposed to be the safest place of all for kids. I want those families to know that the City of Pittsburgh's hearts ache for those families and for those two little girls. Thank you.

Mr. Darkins:

Mr. President, I'd like to pay tribute to John Heinz and the Heinz family. I can say as truth for the last 36 years that I have been the

Minister of the Greater Faith Tabernacle Church of God and Christ, the Heinz family, the Heinz organization, has been one of our strongest supporters with our food bank. Through the Christmas season, through the Thanksgiving season, it is them, these people, John Heinz and the family themselves, that have been one of our strongest supporters for feeding the hungry.

We bow in humble submission and we say to the families of the two children also that we grieve beyond sorrow and they have our deepest sympathy.

Michelle Madoff:

May I add to that, maybe it's because of my seniority because I'm an old lady these days, that John Heinz and I were on a first name basis. Ten years ago or so he invited me to the Salt Briefings and to a private luncheon with his briefing committee. I was very honored to be there.

I know his wife, Theresa. She's a very staunch worker in the environmental movement. As founder of GASP in the early days when we were really scrounging for money, they were always there to help us pay for our cookbooks to raise money

So, I have a long-standing great respect and my heart goes out to the family and I think all of us feel that the whole community was in shock when we heard about the accident.

The Chair:

Thank you.

Michelle Madoff moved to approve the Minutes of Tuesday, 2, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, April 16, 1991

No. 16

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, April 16, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Regan:

I'd like to call Mr. Paul Martha.

The Chair:

If I may interject while Mr. Martha is coming up, the Councilman wrote this resolution yesterday prior to the hockey game. So, we knew they were going to win last night.

Mr. Regan:

I'd like to read this resolution for our Pittsburgh hockey team last night which shut them out. They had a nice Italian boy like the Little Flower, Mr. Ferlo, as the goaltender and I think that helped.

We have Paul Martha here who has been running the Civic Arena for years and it's finally coming to the point where his hard work and fruits have paid off. Paul is a former All-American football player at the University of Pittsburgh and also was the number one draft pick with the Pittsburgh Steelers and the Buffalo Bills. So, Paul was a great athlete in his own right and I'd like to personally thank him for coming down here.

I'd also like to thank the DeBartolo family for their great contribution to the City of Pittsburgh and their great contribution to sports. I think the DeBartolo family has put their money in

our City and it has helped our City in a lot of ways.

I'd like to read this resolution and I'd like to welcome our Councilwoman, Michelle Madoff. Do you like hockey, Councilwoman?

Michelle Madoff:

Hi Paul.

Mr. Regan:

Oh, you like Paul; you don't like hockey?

Michelle Madoff:

I like them both. I'm Canadian; I grew up on hockey. There was a rink on every corner and in every school.

Mr. Regan presents

No. 2433 WHEREAS, the City of Pittsburgh hereby recognizes the outstanding efforts of its professional hockey team, the Pittsburgh Penguins, in bringing this City its first National Hockey League Championship, i.e. the Patrick Division Championship; and

WHEREAS, the manner in which the Pittsburgh Penguins fought back from adversity during the just concluded season is an inspiration for all of the citizens of this City and the surrounding area; and

WHEREAS, the owners and executives of the Pittsburgh Penguins, as well as the inspirational coaching staff and the dedicated players, are to be commended for their collective efforts in reaching the first goal that they set for themselves; and

WHEREAS, the people of this City wish the Pittsburgh Penguins the best of success in

their quest for their ultimate goal, which is to bring the Stanley Cup to the Civic Arena.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby designate April 16, 1991 as Pittsburgh Penguins Day throughout the City.

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

It could only happen in America that the Penguins did such a great job, and it could only happen in America having a former All-American from the University of Pittsburgh here with us today. Paul Martha.

Mr. Martha:

Thank you, Councilman Regan. If you knew we were going to win last night, I wish you would have called me. And if you have an premonition as to what's going to happen with the rest of the Playoffs, the number is 642-1916.

Seriously, on behalf of the DeBartolo family, our team, the Penguins, and everybody at the Civic Arena, I'd like to thank Council and certainly the Mayor's Office for the encouragement and the cooperation that we have received over the decade of the 80s and now into the 90s in bringing the City of Pittsburgh a Patrick Division Champion and hopefully a Stanley Cup winner.

I don't know whether you people realize it or not, but you probably have with the DeBartolo family and the Civic Arena Corporation, the City of Pittsburgh, one of the most successful public-private arrangements in the sports and

entertainment world in the United States. For that, I would like to thank you personally and hopefully we can keep it going into the Stanley Cup. Thank you.

Mr. Ferlo:

Hey, Paul, we'll take tickets if you have them.

Michelle Madoff:

And we'll pay for them, right?

Mr. Regan:

Thanks, Paul. Good luck with the Capitals. Tomorrow night you go at it again and we'll all be up there pending the outcome of tickets. Thank you.

Now, would Sam Juracko come up here, please, and bring your wife, Barbara. Darlene Harris, I know you're a good friend. Would you like to come up here, please? Dick Bowman, where are you? One of the Pearl Harbor survivors. There are only about 200 of them left. He doesn't look like a senior citizen but they treat you so good on the North Side that he looks as good as all of us.

Sam, it's your day in the City and we'd like to welcome and honor you here.

Mr. Regan presents

No. 2434 WHEREAS, joining the Boy Scouts of America in 1930, and becoming an Eagle Scout before the age of eighteen, Samuel Juracko, Sr. then joined the Navy, graduating with high honors and making Chief Petty Officer at the Morehead State Teacher College in Kentucky; and

WHEREAS, serving on the Bunker Hill

Aircraft Carrier, two Japanese suicide bombers dove their planes into the carrier, wounding 656 men and 373 lost their lives; and

WHEREAS, returning to Pittsburgh and becoming an instructor of aeronautics to the World War II veterans, Sam is now an American Legion Service Officer of Post #81 and belongs to the Disabled American Veterans, the Purple Heart and Veterans of Foreign Wars; and

WHEREAS, Sam helped to organize Spring Hill Civic League and the Spring Hill Senior Citizens. Sam is now 71 years old and all of his life he has helped the young and senior citizens in the North Side community; and

WHEREAS, Sam has received the Catholic Church Award from Bishop Vincent Leonard for 30 years of service, the Spring Hill Civic League Award for service to our youth, the Commonwealth of Pennsylvania Award for 30 years of distinguished service to the Boy Scouts of America, the Senior District Award of Merits and the County of Allegheny Commissioners' Citizen of the Year Award, all for outstanding service in helping our youth and the service to the Boy Scouts of America.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the citizens of Pittsburgh in recognizing the courage and leadership of Sam Juracko, for his service both to his Country and for the people and youth of the North Side; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Tuesday, April 16, 1991 as Sam Juracko Day in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

Sam, would you like to say a few words? And your beautiful wife, Barbara; I'm glad she came down with you. Sam has nine kids. He didn't want to load up the meeting today so he just brought his wife.

Mr. Juracko:

We have nine boys; two are dead, the first two. But it was a blessing to have these sons of mine. They were good campers but we lived very close as a family. We'd go fishing, camping, and this young lady here made a fisherman out of me. So, we go to Pymatuning every weekend.

It's a great honor. I never could believe that something would happen to me like this, that the City of Pittsburgh would give an honor like this.

I thank everybody here and God bless you.

Mr. Regan:

Thank you.

The Chair:

I'm not sure if the other people are here to receive their resolutions.

Mr. Cohen:

I'm going to hold my resolution until next week. The person receiving it will be here next week.

Mr. Darkins:

I'll do the same.

The Chair:

Thank you.

Mr. Milliones presents

No. 2435 WHEREAS, the Rodgers School for the Creative and Performing Arts was established ten years ago as a magnet school under the auspices of the Pittsburgh Public School System; and

WHEREAS, the Rodgers School for the Creative and Performing Arts will be honored for its role in developing the talents of Pittsburgh youth; and

WHEREAS, the Rodgers School for the Creative and Performing Arts will hold a ten year reunion at the school on Sunday, April 21, 1991 from 2:00 - 4:00 p.m. to showcase some of the talents of former and current students and teachers.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the staff and student body of the Rodgers School for the Creative and Performing Arts for ten years of Excellence in the Arts.

Mr. Milliones moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 2410 Resolution providing for a Contract or Contracts, or the use of existing

Contracts for furnishing, installing, removing and relocating certain electrical equipment necessary for the Street Lighting Department within the City of Pittsburgh, Department of Public Works, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account Street Lighting Throughout the City.

Also,

No. 2411 Resolution providing for Contract or Contracts, or the use of existing Contracts for traffic signal installation at various locations within the City of Pittsburgh, at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account 3-01-10-0001-91, Signals at Various Intersections.

Also,

No. 2412 Resolution providing for a Contract or Contracts, or the use of existing Contracts for Street Lighting Transfers at various locations within the City of Pittsburgh, at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 3-01-10-0015-91, Index Code 801563, Street Lighting Transfer.

Also,

No. 2413 Resolution providing for a Contract or Contracts, or the use of existing Contracts for furnishing, installing, removing and relocating certain electrical equipment necessary for the Street Lighting Department within the City of Pittsburgh, Dept. of Public Works, at a cost not to exceed \$77,000.00.

Which were severally read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the

bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed

Also,

No. 2414 Resolution vacating Attica Street beginning at a point at the north corner of Attica Street and Valonia Street thence southeastwardly 60' to a point, thence southwestwardly 124' to a point, thence in a west direction crossing Attica Street 60' to a point, thence northwardly 230' to a point, thence northeast 25' to a point to the place of beginning in the 20th Ward, 2nd Voting District of the City of Pittsburgh. The petitioners, William and Brenda Deuschle, 220 Valonia Street, Pgh. PA 15220 have requested this vacation for sideyard convenience. The Department of Finance is recommending a fee of \$500.00 for this vacation.

Also,

No. 2415 Resolution granting unto Reese Brothers, Inc., 923 Penn Avenue, their successors assigns the privilege and license to construct, maintain and use at their own cost and expense, an electrical vault in a portion of the sidewalk of Penn Avenue in the 2nd Ward, 6th District of the City of Pittsburgh. This request is made by Reese Brothers, Inc., that in order to update the electrical system to the building the larger vault is required.

Also,

No. 2416 Resolution granting unto H.M. Taylor, 1226 Muriel Street, his successors and assigns the privilege and license to construct, maintain and use at his own cost and expense, a garage entrance on a portion of the sidewalk of S. 13th Street, in the 17th Ward, 3rd District of the City of Pittsburgh. This request is made by Mr.

Taylor that due to the length required for an integral garage the encroachment on the sidewalk is necessary.

Also,

No. 2417 Resolution accepting the dedication of certain property from Breed Street to the northern property line for the widening of Enon Way in the 17th Ward, 3rd District of the City of Pittsburgh. This Dedication is for the widening of Enon Way at South Side Development Co. driveway.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2418 Resolution approving execution of Contracts for Disposition of Land by and between the URA of Pgh. and various Redevelopers for the sale of the various properties in the 11th Ward, Council District No. 9 of the City of Pgh., in Redevelopment Area No. 10 (SIDEYARD).

Also,

No. 2419 Resolution approving a Contract for Disposition of Land by and between the URA of Pgh. and Redeveloper - Stephen & Kim Petho, 5508 Sunnyside, for the sale of Block and Lot 57C-171 in the 15th Ward, Council District No. 5, of the City of Pgh., for the sum of \$100.00 as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE).

Also,

No. 2420 Resolution approving a Contract for Disposition of Land by and between the URA of Pgh. and Redeveloper - Charles E. & Doreen F. Felton, 8353 Vidette, for the sale of

Block and Lot 231K-242 in the 13th Ward, Council District No. 9, of the City of Pgh., for the sum \$1.00 as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE).

Also,

No. 2421 Resolution approving execution of Contract for Disposition of Land by and between the URA of Pgh. and various Redevelopers for the sale of the various properties in the City of Pittsburgh (SIDEYARD/REARYARD). These properties are being acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 2422 Resolution authorizing the URA of Pgh. to acquire various properties in the City of Pgh. under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. These properties are being acquired for resale to redevelopers for sideyard/rearyard use. Properties are located in the 21st Ward, Council District No. 6.

Also,

No. 2423 Resolution authorizing the URA of Pgh. to acquire that property in the 27th Ward of the City of Pgh., owned by Elmer L.C. Brubach & Alice Brubach, and designated as Block and Lot 76N-219 (3134 Frederick Street), in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The

redeveloper will rehab the property. This property contains approx. 5,664 sq. ft., (Council District No. 1).

Also,

No. 2424 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and James M. & Judith L. Shanley, for the sale of Block and Lot 76N Lot 219 (3134 Frederick Street), 27th Ward, Council District No. 1, for the sum of \$2,000.00. The property was acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh (REHAB).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 2425 Resolution CARRYING OVER balances or portions thereof remaining in certain Code Accounts for the year 1990 to the same or to other Code Accounts for the year 1991.

---(SPONSORED BY MR. MILLIONES)

Also,

No. 2426 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pgh., in accordance with Act No. 171 of 1984.

Also,

No. 2427 Resolution amending and supplementing Resolution No. 1413 of 1990, effective January 1, 1991 entitled: Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and

for meeting the debt charges thereof for the fiscal year, beginning January 1, 1991, by making certain additions and corrections.

---(SPONSORED BY MR. MILLIONES)

Also,

No. 2428 Resolution amending and supplementing Resolution No. 1414 of 1990, effective January 1, 1991 entitled: Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions, by making certain additions and corrections. --- (SPONSORED BY MR. MILLIONES)

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2429

Report of the Committee on Finance for April 11, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2362

A Resolution entitled, "Resolution providing for the issuance of a \$1800.00 warrant in favor of Lynn Corbett and providing for the payment thereof."

Which was read.

Also,

Bill No. 2363

A Resolution entitled, "Resolution providing for the issuance of a \$934.50 warrant in favor of John and Susan Perri in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millionses
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2364

A Resolution entitled, "Resolution transferring the sum of Twenty Five Thousand Dollars (\$25,000.00) from Code Account 1063 (106302) Miscellaneous Services, Department of Finance to Code Account 1043 (104307) Miscellaneous Services, City Information Systems."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millionses
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2365

A Resolution entitled, "Resolution providing for an Agreement or Agreements between the City of Pittsburgh and professional and consulting services in connection with reapportionment of the City Council districts in the City of Pittsburgh and providing for the payment of the cost thereof." ---**(SPONSORED BY MR. MILLIONES)**

Which was read.

Mr. Coyne:

I would like to request that Councilman Millionses recommit Bill No. 2365. I voted aye on that bill at the preliminary meeting and I've heard

some things that are disturbing to me since the initial vote on the bill and I'd like it to be recommitted and held a couple of weeks until I can find out more about what is actually going on here.

Mr. Milliones:

I will agree to hold the bill until after the census data is received.

Michelle Madoff:

I would second it for discussion. I'd like to share with Council, because I know we're all very busy and they may or may not have received a letter that went to Mr. Darkins. I just asked Mr. Darkins if it was alright if I mentioned it. It is from the Monumental Baptist Church. I'll just read the letter; it's self-explanatory.

"Dear Councilman Darkins:

This is to inform you that the Crusade For Voters is concerned about the proposed change of the Council District from nine to seven. Not having the opportunity to review the proposed changes to determine the impact on Black voting strength, we must conclude that the district would be larger and thereby reduce the opportunity for Black representation.

Our initial suit against the City is still alive and well and, if necessary, we will take additional legal action to ensure that Black voting strength is not diluted."

So, I think the concept of holding until all the information is in, as Mr. Wagner suggested, and now holding it, but let's all keep in mind that it costs the City a fortune.

The Chair:

All those in favor of the motion to

recommit? Opposed?

WHICH MOTION PREVAILED.

The Chair:

Bill No. 2365 is held two weeks.

Mr. Milliones:

The motion was until the census data is received.

The Chair:

I thought it was two weeks.

Mr. Coyne:

I suggested that initially but Mr. Milliones added to it, so it's until the census data is received.

The Chair:

Alright, so the bill is actually held indefinitely until we receive here, as Councilmembers, the census data information that should be available shortly. So, it could be up as soon as next week or whenever.

Also,

Bill No. 2367

A Resolution entitled, "Resolution Repealing Resolution No. 253, Item A, effective March 22, 1991, which repealed Resolution No. 877, Item B, approved August 24, 1990, which authorized the sale of a two story, brick house on a 17' x 82' lot, located at 713 Webster Avenue, 5th Ward, designated as Block 10D, Lot 128, to Vicki L. Myers, for the sum of \$2,500.00."

Which was read.

Also,

Bill No. 2368

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2370

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 6927 Perrysville Avenue, Pittsburgh, PA 15202-1825, in the amount of

\$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of April 1991." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

Also,

Bill No. 2386

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Louis J. Viglione Contracting Company, in the amount of Fifty Nine Thousand Six Hundred Forty Five (\$59,645.00) Dollars, in payment for excavation, backfill, concrete and miscellaneous material for emergency repairs on Banksville Road."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2430

Report of the Committee on Public Works for April 11, 1991 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2262

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Public Works to execute an Agreement with the Borough of Plum, the Plum Borough Municipal Sewer Authority and the Allegheny County Sanitary Authority consenting to the assignment of Sewage Service Agreement among the City, the Allegheny County Sanitary Authority and Plum Borough to the Plum Borough Municipal Sewer Authority."

Which was read.

Also,

Bill No. 2265

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.13, Refuse Accumulation, subsection (d) by making changes and deletions thereto."
---(SPONSORED BY MICHELLE MADOFF) (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

On my legislation regarding the blighted property. We have a hold up on the balance of the bill which is the gut of the bill because the BOCA Code of Review has not sent it over as yet. And Mr. Specter is not here because the bill was not sent over.

But the portion we're voting on today is just a very small consistency, just bringing the language into line. As you know, Mr. Specter was here and explained it to everybody before, so I hope there's no problem.

Also,

Bill No. 2387

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the repaving of various areas throughout the City of Pittsburgh with reclippped blockstone or brick surfacing and other work incidental thereto and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

Bill No. 2356

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Public Auditorium Authority of Pittsburgh and Allegheny County for the transfer of \$800,000.00 to be used to perform maintenance work with existing City Contracts at the Civic Arena."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I'd like to make a statement first, if I may, please.

At the urging of Members of City

Council, and under the powers of the President of Council, Section 306 of the Charter, I am appointing a nine-member Advisory Committee to oversee and study the re-apportionment process of City Council.

I must stress that this is an Advisory Committee only and the ultimate decision rests in the hands of Council.

As part of that study process, I would ask the Committee to look at both the nine member district Council, and also the proposed seven member district Council.

I am asking each Councilmember to submit a name to me within two weeks of today. I would further suggest that the name not be yourselves and that the individual be a City resident.

I am also asking the City Clerk to immediately request all census data information that is available from City Planning for City Council and this Advisory Committee.

Thank you.

Michelle Madoff:

May we discuss that? I'm sure that we're all well abreast of what's going on on the State level, the in-fighting that has already started, the recommendation of somebody who is imminently qualified at the University who withdrew his name. I hope we don't get into that kind of activity because we're trying to be a committee, a camel put together by a committee as though it used to be a horse.

I don't think we have time to play with this. We don't want to disenfranchise anybody. And I would hope that some of the people who are available to us with great expertise in this area would be hired immediately as the professional

people for this Advisory Board if it comes into fruition, and that we get on with the job expeditiously.

Mr. Ferlo:

On an unrelated issue. I'd like to extend an invitation to all of you to attend, of all things, a Christmas in April Party. It's tomorrow evening at 7:00 at the Boys and Girls Club.

You're probably wondering why we're having a Christmas in April Party. This is an effort by the Lawrenceville Business Association, spearheaded by that group. I'm helping to co-chair the effort with some of the other business and community development groups in Lawrenceville.

It's an effort to raise a considerable amount of money this year to bring about holiday lighting and decorations for the Butler Street corridor. Hopefully we'll raise enough money that we can have a major decoration effort this year and this all kicks off tomorrow evening at a Christmas in April Party, 7:00 at the Boys and Girls Club.

Secondly, Mr. Wagner, I just want to thank you for your help last week with recruiting City workers on the Super Playground Project. I extend an invitation to all of you to help, even if it's just a four-hour shift. The playground's initiating the build April 24th, next Wednesday, to Sunday. The whole thing has to be built, as we all well know, during that four or five day period. So, I would ask support also on the Super Playground Project.

Mr. Regan:

I'll supply the Christmas Tree tomorrow night, Councilman.

Michelle Madoff:

I'll give you a Hanukkah Bush.

Mr. Ferlo:

We have a tree there, Mr. Regan.

Mr. Regan:

And a Menorah.

Michelle Madoff:

On another matter, a very serious matter. There are people who are not as fortunate as we are who can't get around without access and are really facing some very hard times. Governor Casey has proposed to cut \$5.5 million from the senior citizens' free care and \$1.2 million from access.

Without this money, PAT in the long term may be forced to make its service cuts in its fixed route buses and its access paratransit system as well. This could mean weekday evening access service may have to be cut along with all weekend service.

In addition, it is proposed that access will no longer be handled by the Department of Transportation but now by the Department of Aging. The Department of Aging would determine who would be eligible for transportation and how service would be provided.

The current unrestricted program allows seniors to choose where they want to go. If they want to go and get their hair done, they have a chance to do it. It prevents seniors from being shut-ins. The new proposal may eliminate the ability for seniors, as I said, to go to beauty salons or visit friends.

We should urge Governor Casey to restore the money to the Transportation Budget. A well-serviced transportation system is important to many people to maintain independent travel at a reasonable cost and community involvement.

I would like to make a motion that we send a letter to the Governor expressing our concern for people who really need our support and that we should not turn out backs on them.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

I would like all of our signatures on it as well and that we send it to whoever the appropriate agency is that we are supporting it.

Michelle Madoff moved to approve the Minutes of Tuesday, April 9, 1991.

Mr. Millions seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Darkins**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, April 23, 1991

No. 17

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, April 23, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning, everyone. Would Nancy Wells and the people from the Center for Victims of Violent Crime come up here, please?

Mr. Cohen presents

No. 2461 WHEREAS, the seventeenth annual commemoration of National Victims' Rights Week is April 21 through April 27, 1991; and

WHEREAS, some 34 million Americans become crime victims each year, and victims of crime and their loved ones in the City of Pittsburgh often face severe financial, physical and psychological losses; and

WHEREAS, violent crime seems to be increasingly brutal due to the increase in the Pittsburgh crime rate and the aftermath of criminal violence may cause additional losses to victims due to inappropriate treatment by social or government institutions; and

WHEREAS, there are still too few services for victims and too little attention to establishing their rights, but fortunately, thousands of our fellow citizens in their work and their volunteer activities are seeking to provide needed help to victims of crime and crises; and

WHEREAS, many victims and survivors

of crime have demonstrated extraordinary courage and strength as they have sought to help themselves and others, and such victims, survivors and victim advocates should be supported in their work to ensure a better life for us all.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proclaims the week of April 21 through April 27, 1991 as "Victims' Rights Week" and urges all citizens and institutions in the City of Pittsburgh, both public and private, to support the establishment and enforcements of victim rights and services through participation in local and state activities commemorating those rights.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Members of Council, we have with us many people from the Center for Victims of Violent Crime. Nancy Wells, who is the new Executive Director, and we have Nardi Obarski, Karen Burnett, Jane Hartman, Sharon Baskin, Jeff Kerr and Geneva Johnson. I hope I haven't forgotten anybody. Thank you all for coming down here today.

As the crime rate continues to rise both nationally and here in Pittsburgh, organizations like the Center for Victims of Violent Crime become even that much more important to all of us. So, I want to thank all of you on behalf of City Council and on behalf of the people of Pittsburgh for doing all the good work that you do.

Nancy Wells is a brand new Executive Director so I also want to take this opportunity to

congratulate you and wish you all the best of luck.

Ms. Wells:

Just as Dan has thanked us and our staff for the work that we do at Victims, I want to thank you on Council and all of the citizens of the City of Pittsburgh for the support that the City has given to the Center over the years and is giving now.

We have recently launched a very new and important initiative with the City of Pittsburgh through the Department of Public Safety wherein we're putting an advocate in the Police Department vicinity in the Public Safety Department in order to be available to child victims on an immediate basis.

This crisis intervention advocate for children is already hard at work there and is being supported by the good will and positive help of the Department of Public Safety and this Council and we're very grateful for that. And it means a great deal to those child victims. Thank you so much.

Mr. Cohen:

I have one more today. If Sister Elaine Eckert and Ken Komick of the Ursuline Center could come up, please.

Mr. Cohen presents

No. 2462 WHEREAS, Ursuline Center, Inc. was founded in 1981 as an innovative, multi-purpose human services organization offering programs for families, individuals, and special needs populations and draws on a more than 100-year presence of educational, spiritual and community service established by the Ursuline Congregation; and

WHEREAS, among the programs offered by the Ursuline Center are: employment training and placement, child care, legal guardianship, senior adult services, and the Friendship House; and

WHEREAS, countless people contribute to the successful achievement of Ursuline Center's mission; and

WHEREAS, Ursuline Center will recognize these contributions at a Recognition Dinner to be held on April 24, 1991; and

WHEREAS, John E. Murray, Jr., President of Duquesne University, will be honored at the dinner for his many contributions to the Pittsburgh community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the Ursuline Center and its contributors for the many achievements and contributions to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Wednesday, April 24, 1991 as "Ursuline Center Day" in the City of Pittsburgh as John E. Murray, Jr. is honored.

Mr. Cohen moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Cohen:

Members of Council, I'm happy to have with us here today Sister Elaine Eckert who is the Executive Director of the Ursuline Center, and also Mr. Ken Kornick who is Chairman of the Board.

As the resolution says, the Ursuline Center does so many things for the community it would take me another half hour to describe all the programs that the Ursuline Center does. But let's just say that they are a tremendous community service organization and, Mr. Kornick, if you could say a few words, we'd appreciate it.

Mr. Kornick:

Thank you, Councilman Cohen and all Members of Council for this very special day in the ten-year history of Ursuline Center. We are very proud to be honored in this way and, in fact, in the ten years that we have been in service in the East End communities of Pittsburgh, we have tried to establish a reputation as an innovative, creative, human service provider.

This Wednesday we will be honoring Dr. John Murray and our two previous honorees, in fact, at two earlier annual dinners that we had were Mayor Caliguri and Clare Gargali, the former Chief Executive Officer of Equimark Corporation. We attempt in this way, through these annual events, to honor citizens who display the same type of innovation and leadership that we attempt to provide as a human service provider in our area.

Hopefully, Ursuline Center which has just been with us for ten years, will be in a position to serve the needs of the East End community and, in fact, all of Allegheny County through its programs for many, many years to come.

Again, I want to thank all of you for this wonderful proclamation making Wednesday Ursuline Center Day, particularly to Councilman Cohen. Thanks very much.

Mr. Darkins presents

No. 2463 WHEREAS, The Urban League of Pittsburgh, The Pittsburgh Coalition Against Substance Abuse, The University of Pittsburgh and The Allegheny County MHMRDA have joined together to sponsor a conference entitled, "Empowering the Mind, Body and Spirit - the Black Male Health Agenda for the 1990s and Beyond"; and

WHEREAS, the primary objective of this conference is to focus institutional and community attention on the health and social problems which constitute major risk factors affecting African American males in Pittsburgh and Allegheny County; and

WHEREAS, this conference aims to establish an institutional and community agenda for addressing the health and human service needs of African American males; and

WHEREAS, the activities of this conference will assist in creating a mechanism for sharing information, including the development of a service directory geared toward minority males to enhance their access to health and human services; and

WHEREAS, this much needed conference will be held at Schenley High School on April 26-28, 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims April 28 - May 3, 1991 as "Minority Male Health Awareness Week" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have today representing the Urban League, and I was saying to the Assistant to Dr. Haley, that they were right on target and right on time and he will receive this resolution and make remarks.

Mr. Howard:

Good morning. I'm Ray Howard, Vice-President with the Urban League of Pittsburgh, and I'm here this morning to, first of all, express a thank you to Councilman Darkins for his leadership in this effort and also to thank the Council for this very significant endorsement of this conference. This is a Minority Male Health Conference, sponsored principally by the PCASA Coalition and PCASA stands for the Pittsburgh Coalition Against Substance Abuse.

This Coalition is a fine compliment of about 37 of our community agencies and these agencies have come together to not only sponsor this conference but to address many, many of our diverse social and health issues in the City of Pittsburgh but also in the County of Allegheny.

We are thrilled to inaugurate this week of awareness with the conference that will begin this Friday, the 26th, at Schenley High School. Everyone is certainly invited and we trust that as we deal with these issues that we can see some significant improvement in the health of minority males, but specifically in the health of the Black family in total.

Again, we thank you so much.

Mr. Darkins presents

No. 2464 WHEREAS, Dr. Joan B. Clark is recognized and respected as an educator devoted to the development and advancement of youth and adult students who lack all the skills and knowledge required to succeed in an

environment that is not specifically designed to meet their needs; and

WHEREAS, Dr. Clark prepares educators to teach those with physical and emotional impairments; and

WHEREAS, Dr. Clark designs curriculums that encourage impaired students to reach their maximum potential thereby enabling them to effectively manage their impairments; and

WHEREAS, Dr. Clark, a graduate of the University of Pittsburgh, holds a Ph.D. in Administration and Psychology, a Masters in Special Education and a Bachelor of Science Degree in Early Childhood Development and Elementary Education; and

WHEREAS, Dr. Clark's works have been published in national periodicals including her works on "The effects of value-based programming in love and respect, self-esteem and learning orientation outcomes in blind children" and "A training manual for parents: The right to special education in Pennsylvania"; and

WHEREAS, Dr. Clark is well known for her commitment to numerous boards, committees and community organizations; and

WHEREAS, Dr. Clark is currently Director of Community Outreach and State Projects for the Western Pennsylvania School for Blind Children.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Dr. Joan B. Clark as a woman that challenges the physically and emotionally impaired to reach beyond expectations.

Mr. Darkins moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Dr. Clark:

Councilman Darkins, thank you for presenting the resolution. I thank the Councilmen for accepting the resolution.

I am keenly aware of the great honor City Council has done me and it is doubly welcome because as an African American this resolution will be written into the history of the City of Pittsburgh for generations waiting to be born. It is a distinction I will treasure. Thank you.

Mr. Ferlo:

I'd like some of the children from the Children's Committee of the Super Playground to come forward and the parent representatives. I am very honored to move the following resolution.

Mr. Ferlo presents

No. 2465 WHEREAS, the dream of a Super Playground will come true; the hard work of planning, fund-raising and organizing the Super Playground over the past two years will culminate this week with the construction of the Super Playground which begins on Wednesday, April 24th and will continue through Sunday, April 28, 1991 in Highland Park; and

WHEREAS, the Super Playground Committee has raised over \$94,000 dollars in cash thanks to the generous gifts of the City of Pittsburgh, the Highland Park Community Club, Western Pennsylvania Conservancy, Mary Jennings Hillman Foundation, Mine Safety Appliance, Phar-Mor, Heinz Foundation, Pepsi

Company, Federated Investors, Child Health Associates of Sewickley/Three Rivers Cook Book, National School Business Service, and other organizations, as well as individual contributions and the numerous grassroots fundraising activities which were held throughout the year; and

WHEREAS, the Mellon Stuart Company and the Western Pennsylvania Conservancy and many other Pittsburgh businesses and individuals have committed thousands of dollars of in-kind contributions in the form of tools, equipment, materials and more to the construction of the playground; and

WHEREAS, the playground will be built entirely by community volunteers and over 600 people have signed up to volunteer their time to help build the playground this week; and

WHEREAS, the Super Playground Grand Opening celebration will take place on Sunday, April 28, 1991 at 7:00 p.m. at which time the Super Playground will be built and open for the first time to the children of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the efforts of the Super Playground Committee and encourages all Pittsburghers to volunteer some time this week to build the playground; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Sunday, April 28, 1991 as "Super Playground Day" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'm very honored to be introducing this proclamation. This has been pretty much a two-year effort on the part of a very large group of very ambitious citizens, not only from Highland Park but folks who came forward throughout the City of Pittsburgh.

It's a tremendous effort and it's hard to believe that after close to a year and a half that we are now in the twilight of the actual building of the Playground which begins first thing tomorrow morning. I'm very pleased that Council President Wagner, Mayor Masloff and the Administration have been very supportive of this project, as well as all of you, financially with a grant initially from Council to kick the ball rolling.

President Wagner has been very instrumental in recruiting a lot of the volunteers who went down to Hurricane Hugo and volunteered their City time. They'll be out there tomorrow with heavy equipment to kick this thing off.

We have a very distinguished group of folks with us today because we have a group of children. These children are from Sacred Heart School and Sacred Heart, along with Fort Pitt School and Fulton Academy, both the Morningside Campus as well as the Highland Park, Hampton Avenue Campus, have been very involved in the last year and a half in doing everything in relation to this playground.

So, we have two adults here to my left, Mary Crocco who is a fellow Committeemember helping to coordinate this whole project, and we also have Mary Anne Murphy who is a parent and she is also on the Children's Committee helping to coordinate. We'd like to have maybe Mary or Mary Anne say something.

We also have several children here; we have Allison Murphy who would like to say a few words about the playground. We have Michael Pelko, Amy Hahn, Kara Senger, Natalie Murphy, and we have Oliver Crocco. And by the way, the Murphys are related to Bob Murphy who I see in the audience, and Bob runs the City Print Shop, which I think we've all used on occasion.

So, I'd like to introduce one of the parent reps to speak and then we'd like Allison Murphy to also say a few words.

Ms. Crocco:

I want to thank you today for this proclamation and I also want to thank you very much for all the support you've given us both financially and morally and, hopefully physically, coming out to help us with the build this weekend. We're all very, very excited. Thank you very much.

Allison Murphy:

I'd just like to say thank you for everything you've done. Thank you.

Mr. Ferlo:

Just so we're clear, one of the activities during the Playground Build is the provision of child care for small children, but children ten years old and older are actually going to be able to work on the construction site with supervision.

Again, this is probably the largest single volunteer construction project in the history of our City. We have 600 volunteers to date, but we still need more volunteers. And I know Irene McLaughlin, who has been staying late at night in our office trying to coordinate all this volunteer information, would like to hear from you if you still would like to volunteer to help build the Playground, you can call 255-2140 and sign up

immediately to build and participate.

So, I'm very honored to have been part of this project and we're going to be more honored come Sunday when we have probably the greatest playground in the history of the City of Pittsburgh. It will be built and we're going to cut the ribbon. We need all of Council there Sunday evening and we need you there throughout the week to help build this.

I just want to say thank you. Thanks kids.

There's a little parade on the part of the students at Fulton School today which begins at about noon in front of the Hampton Street Campus, right around the corner from my house. So, if you can come out, I'd really appreciate it.

I'm very honored to be introducing the next resolution and I'd like the representatives to come forward. We have a coalition of organizations and individuals who represent the Pittsburgh Committee for a Comprehensive Peace in the Middle East. They represent community organizations, peace organizations, veterans for peace groups. Mr. Kennedy, are you going to come up? And Mr. LaCoe? I see Charles Kindow and Otis King from the Coalition of Black Trade Unionists.

Mr. Ferlo presents

No. 2466 WHEREAS, military conflicts in the twentieth century have taken a great toll of civilian lives, including men, women and children, and disrupted lives in communities in different parts of the world; and

WHEREAS, the recent Iraq war saw extensive dislocation of the civilian population, including children affected by the economic blockade, the actual war and ensuing civil strife; and

WHEREAS, the Pittsburgh Committee for a Comprehensive Peace in the Middle East (PCCPME), the Thomas Merton Center and related organizations are gathering citizens together on Tuesday, April 30, 1991, International Children's Day, to raise funds for material assistance to children in the Middle East made destitute by the recent war and its aftermath; and

WHEREAS, this fundraising effort in Pittsburgh is part of a national and international effort undertaken by the United Nations Children's Fund, known as U.N.I.C.E.F., and the Fellowship of Reconciliation, known as F.O.R. to mobilize material assistance throughout the nation and the world for children in the Middle East; and

WHEREAS, PCCPME has assumed all costs associated with the Pittsburgh fund-raising effort and all money raised on that day will go to U.N.I.C.E.F. and F.O.R. for Middle East children's relief.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Tuesday, April 30, 1991 to be "Tag Day For Middle East Children"; and

BE IT FURTHER RESOLVED, that the Council recognized "Tag Day For Middle East Children" as a tremendous humanitarian effort, for it does not commit one to a specific stand on political, military or foreign policy questions, but rather is an expression of concern that we all want to see Middle East children survive; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh encourages City residents to donate generously for the benefit of the children in the Middle East.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Members of Council, I'd like to have Leon Swimmer who is the Treasurer of the Committee come forward.

Again, we're setting aside ideological differences, political persuasions, particular viewpoints about the conflict in the Middle East. This is a humanitarian effort and I applaud this coalition for emerging here in the City. There's a lot of other work that needs to be done, a lot of other contradictions that have to be dealt with regarding our Middle East policy. But, in the meantime, while we're fighting those battles, I think it's important that we care for people who have suffered as a result of this conflict, especially the children.

At this time, I'd like Mr. Swimmer who is the Treasurer of the Coalition to say a few words about the effort.

Mr. Swimmer:

Councilman Ferlo, Members of Council, on behalf of the Pittsburgh Committee for a Comprehensive Peace in the Middle East and the Thomas Merton Center, I'd like to thank Councilman Ferlo for introducing our resolution and I'd like to thank the Council for approving it.

Children are the true losers of the Gulf War. And recognizing this, our Committee determined to embark on a humanitarian effort, collected money which will be sent totally to the U.N.I.C.E.F. and the Fellowship of Reconciliation which is totally engaged in the relief of these children. All expenses in regard to this will be borne by our Committee.

So, once again, I'd like to thank Councilman Ferlo and the rest of Council and Chairman Wagner for your assistance in this effort. Thank you very much.

Mr. Ferlo:

I'd like to recognize Mr. King from the Coalition of Black Trade Unionists. We have a lot of other representatives here but I would be remiss, since we're in official Chambers here, not to say hello to our good friend Mr. Kennedy from the North Side. Mr. Kennedy was a member of the original Home Rule Charter Commission and we applaud you for all your public service. Thank you.

Mr. Coyne presents

No. 2467 WHEREAS, the Pittsburgh Mediation Center provides mediation services as an alternative to settling disputes in both interpersonal and multi-party situations, provides agencies and organizations with training and technical assistance and also provides services to the youth of our City; and

WHEREAS, during the month of May, 1991, the Pittsburgh Mediation Center will host the Annual Conference of the Pennsylvania Council of Mediators and the National Conference of the Association of Family and Conciliation Courts, and in October of 1991 the Mediation Center will host a Youth Mediation Conference; and

WHEREAS, recently the Pittsburgh Mediation Center secured a contract with the City of Pittsburgh to provide services and training through the Department of Public Safety, and the City of Pittsburgh looks forward to establishing and nurturing a protective working relationship which will benefit persons in need of these services; and

WHEREAS, during 1991 the Pittsburgh Mediation Center will celebrate its tenth anniversary.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends best wishes for continued success to the Pittsburgh Mediation Center on their Ten Year Anniversary, and hereby proclaims the month of May, 1991 as "Mediation Month" in the City of Pittsburgh.

Mr. Coyne moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen presents

No. 2468 WHEREAS, child abuse has reached epidemic proportions nationally and in 1989 over half of all substantiated incidents of physical, sexual or mental abuse of children in Pennsylvania were performed by a parent or guardian; and

WHEREAS, in 1990 more than 24,00 cases of suspected child abuse were reported in the Commonwealth of Pennsylvania; and

WHEREAS, Safe & Sound is a private organization working to help eradicate child abuse in our society; and

WHEREAS, at Safe & Sound's third annual dinner meeting on April 11th, Dr. Joyce Brothers spoke about the need for increased public awareness to help prevent this life threatening problem.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the efforts of Safe & Sound to

educate the public about child abuse and to help alleviate the inhumane treatment of our children; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the month of April as "Child Abuse Prevention Month".

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 2469 **WHEREAS**, the Scouting for the Handicapped Service Awards Dinner is designed to recognize outstanding services by an individual for demonstrated involvement in the support of scouting for all youth regardless of their physical, emotional or mental handicaps; and

WHEREAS, the 1991 Scouting for the Handicapped Service Award Honoree is John Edward Connelly, a Pittsburgh native and owner of Pittsburgh's premier jewels, the Gateway Clipper Fleet and the Sheraton Hotel at Station Square; and

WHEREAS, John Edward Connelly is a man of compassion dedicated to edifying his fellow man; and

WHEREAS, characteristic traits encouraged by the Allegheny Trails Council and the Boy Scouts of America include trustworthiness, loyalty, helpfulness, friendliness, kindness, obedience, cheerfulness, thriftiness, bravery, cleanliness and reverence; and

WHEREAS, the Scouting for the

Handicapped Service Awards Dinner is an event most worthy of recognition and honor.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Sunday, April 21, 1991 as "Scouting for the Handicapped Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Regan presents

No. 2470 **WHEREAS**, on Wednesday, the 23rd of April, 1991, the Pittsburgh City Police Department will honor twenty individuals who will retire from the City Police Force; and

WHEREAS, these men and women have served bravely throughout their careers by maintaining the safety of our City, by recognizing that the life and liberty of its citizens is the primary area of responsibility; and

WHEREAS, although the crime rate and service call rate has been steadily increasing, their work load was challenging and each and every officer performed ably and well, protecting our property and the security of our lives; and

WHEREAS, the City of Pittsburgh is a City that draws many visitors into our City each year, for our many social and cultural events, and our City Police Officers are called upon to maintain the peace and dignity at these events, so we also recognize these fine men and women as Goodwill Ambassadors.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the citizens of Pittsburgh in

recognizing and saluting Joseph A. Barringer, Robert J. Bitner, Adam J. Ferragonio, John F. Garvey, Edward Gillece, Edward Gray, Ralph N. Gruhalla, James R. Hamilton, Edward E. Horton, Walter F. Jankowski, Edward L. Konieczka, Leo J. McCafferty, Jr., Alice R. Paranzino, Robert A. Reddick, John P. Remmick, Thomas F. Rogers, III, Cynthia L. Thompson, John T. Tokarski, Clark A. Tomer and Ronald W. Wagner who are honored here today for their distinguished and sincere dedication.

Mr. Regan moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

The Chair:

We have one final resolution to present and I would like to ask Mr. Kurt Bubb, the Vice-President of A.B.A.T.E. to step forward, along with Tom DeWorken. These two gentlemen represent the organization called The Alliance of Bikers Aimed Towards Education.

The Chair presents

No. 2471 WHEREAS, A.B.A.T.E. of Allegheny County, (The Alliance of Bikers Aimed Towards Education) is a Pittsburgh based non-profit organization that is dedicated to the freedom and rights of motorcyclists, educating motorcyclists (especially young and inexperienced ones), and also educating the general public to be aware of cyclists on the roads in order to maintain safe riding for all motorcyclists; and

WHEREAS, A.B.A.T.E. has participated in civic activities such as having runs for M.D.A. (Jerry's Kids), Child Fund, and the Central Blood Bank; and

WHEREAS, A.B.A.T.E. has supported local charities such as the Buhl Science Center's Christmas Angels Program and has donated time to WQED's regular telethons; and

WHEREAS, A.B.A.T.E. continues to support the Pittsburgh based Rainbow Kitchen in its efforts to help provide food for the less fortunate. A.B.A.T.E. does this through its donations of non-perishable food items during its annual rights rally for motorcyclists held this year during Motorcycle Awareness Month; and

WHEREAS, by these efforts, A.B.A.T.E. wishes to demonstrate that it is attempting to maintain a "good image" for bikers who have been over-stereotyped as "the bad guy" by Hollywood and the media.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the month of June, 1991 as "Motorcycle Awareness Month" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair:

It's extremely important that organizations of this type, particularly as it relates to public safety with motorcycles, be in existence and A.B.A.T.E. has done an excellent job in doing that in recent years. As you know, there are more motorcyclists on the road today and it appears as if, as time goes on, there will be more and more. And certainly safety educational programs and a positive image to motorcyclists is very important.

Gentlemen, we're happy you're here

today. I'm sure one of you wants to say a few words. Tom, please do.

Mr. DeWorken:

Thank you, Jack, and Members of Council. This is our fourth year here. We've had an opportunity to have Motorcycle Safety and Awareness Week declared and now we've brought it to Awareness Month because we found that a week wasn't enough time to take care of the things that were necessary to be taken care of.

We're hoping to take this to the County Commissioners and get it declared also on the County level as Motorcycle Safety and Awareness Month.

Let me say just a few things. I'd like to cover three items; there's safety, there's awareness, and then there's the image.

As far as safety is concerned, when you get into your car, you strap your seat belt on, you think you're safe. That's safety, as far as you're concerned, probably. When you get on your motorcycle, you throw your helmet on your head and that's it.

Okay, what about those motorcyclists that are below the age of 18? What about the ones that are maybe in their 20s that put the full-face helmet on and then they ride around with cut-off shorts, sneakers with no socks on, and no top on at all? I pull up to them sometimes beside them at a red light and say, "Who's going to look like a raw piece of meat when they hit the pavement, your or me, when I'm riding in my jeans and my boots and my leather jacket?" Think about it. That takes safety into consideration too.

Let's talk about safety as far as your driver education courses. It has been introduced into the courses, but do you know what the percentages

are of the students of our high schools here in the Pittsburgh area that are going to jump on that motorcycle and not be aware of what's going on? What kind of safety procedures are actually necessary? And the rest of the students who are going to jump into cars who are going to continue to drive throughout their adult years and not really be exposed to what the safety procedures are?

That brings up the second subject: awareness. How many times have you gotten into your car and looked into the rear view mirror? What are you looking for? You're looking for another car. You might be looking for pedestrians. Look for me. I'm on two wheels. Keep it in your mind. Look for the motorcycle as well as the car driver, as well as the pedestrian. You don't want to pay the medical bills, believe me.

And as far as the third item, image. Everybody in Hollywood and on television has to take the bad rap once in a while. Somebody has to be the bad guy. Somebody has to take the joke once in a while. Okay, so we take it and that's alright. But when you see me riding on the street, don't equate me with that bad guy that was on TV simply because they needed a scapegoat for somebody for that 30 second or 1 minute portion of the program. That's not me. Oh, yeah, there's a few bad guys out there; there's bad guys everywhere, in the corporate world, everywhere you want to think about it. But, when you see the person riding on the motorcycle, think of me. See, I have the nice coat on today and I have my tie on; I don't look like this on Saturday night when I'm riding my bike. But remember, safety, awareness and image.

Thanks alot. I'll see you again next year.

Mr. Coyne presented

No. 2436 Resolution authorizing the

City to incur lease rental debt in the amount of \$14,000,000.00 by entering into an equipment lease with City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1991, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs relating to that series; approving the form of lease and authorizing execution of the official statement relating to the Authority's Bonds.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 2437 Resolution adopting Official Sewage Facilities Plan for Highland Building.

Also,

No. 2438 Resolution vacating a portion of Pauline Place beginning at a point at the southwest corner of Lot No. 5 and Lot No. 6 in Trench Plan of Lots, thence by arc distance 25.36 ft. by a radius 50 ft. to a point, thence N 23 59"E 20' to a point, thence S 66 01"E a distance of 17.85 to a point, thence S 23 59"W a distance of 36 ft. more or less to place of beginning, also reserving a 6" water line in the 19th Ward, 4th Voting District of the City of Pittsburgh. The petitioner, John R. Esposito, 117 Pauline Place, Pgh., PA 15216 has requested this vacation for

expansion purposes.

Also,

No. 2439 Resolution vacating Unnamed Way beginning at a point on north corner of Perrilyn Street and Unnamed Way, thence easterly 110' to a point thence in a south direction of 10' to a point, thence westwardly 110' to a point thence northwardly 10' to place of beginning in the 19th Ward, 4th Voting District of the City of Pittsburgh." The petitioner, Tom Matrascia, 651 Perrilyn Street, Pgh., PA 15226 has requested this vacation for sideyard convenience. The Department of Finance recommended a fee of \$200.00 be charged for the vacation.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2440 Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) in the Mt. Washington community pursuant to Pittsburgh Code Chapter 549, so as to expand the streets included in the existing Mt. Washington RPPP Area "N".

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 2441 Resolution providing for the issuance of a warrant or warrants totalling \$11,299.45 for payment to Michael Facchiano Contracting, Inc., Michael Facchiano, Principal, for various services not covered under contract performed during emergency concrete and street restoration, chargeable to and payable from Code Account 1984, Repairs, Distribution Division, Department of Water.

Also,

No. 2442 Resolution providing for the transfer of \$5,000.00 from Code Account 1926, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1991, Premium Pay, Engineering Division, Department of Water. Additional funds are necessary due to extra overtime hours required for Engineering Division employees working as Radio Dispatchers.

Which were read and referred to the Committee on Finance.

Also,

No. 2443 Resolution authorizing the Mayor, the Director of the Department of General Services and the Director of the Department of Water to enter into an Agreement or Agreements with Neighborfair Pittsburgh, Inc., providing for the administration and implementation of ongoing maintenance of water properties owned by the City and controlled by the Department of Water, at a cost not to exceed \$48,000.00, chargeable to and payable from Code Account 1922, Misc. Services, Administration Division, Department of Water.

Which was read and referred to the Committee on Water.

Also,

No. 2444 An Ordinance amending and supplementing the Pittsburgh Code, Title VI - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order, to add provisions for prohibitions on excess noise.

Which was read and referred to the Committee on Public Safety.

Mr. Milliones presented

No. 2445 Resolution providing for the issuance of warrants to William Guy Sharra in the amount of \$475,000.00; Stephen Mollner in the amount of \$17,500.00 and Reyna Barker in the amount of \$7,500.00 in full settlement of claims for personal injuries, arising from a motor vehicle accident with a City of Pittsburgh fire vehicle at the intersection of Saw Mill Run Boulevard and Woodruff Street in the City of Pittsburgh on or about August 26, 1989, causing injuries to the three plaintiffs, payable from Code Account No. 46, Judgments.

Also,

No. 2446 Resolution providing for the issuance of a warrant to Barbara Bielevicz and Robert D. Tumpa, in the amount of \$56,727.70 in full settlement of claim for reimbursement for alleged violation of their civil rights by City of Pittsburgh police officers on December 23, 1984, payable from Code Account No. 46, Judgments.

Also,

No. 2447 Resolution providing for the issuance of a warrant to Guisepppe Manno, in the amount of \$3,679.00 in full settlement of claim for personal injuries and property damage, arising from detectives forcibly entering Plaintiff's apartment by mistake on the first floor of 6414 Deary Street in the City of Pittsburgh on May 31, 1988, causing property damage and personal injuries to the plaintiff, payable from Code Account No. 46, Judgments.

Also,

No. 2448 Resolution authorizing the issuance of a warrant in favor of the University of Pittsburgh in the aggregate amount of \$4,950.00 in payment for tuition fees for 10 City Employees to attend the American Experience Program, chargeable to and payable from Code Account

1100-1, Education and Training.

Also,

No. 2449 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 2450 Resolution authorizing the issuance of a warrant in favor of Pennsylvania State Police in the amount of \$7,800.00 for training four police recruits, chargeable to and payable from the Public Safety Training Academy Trust Fund (PSTA), Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 2451 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to grant the Highland Park Community Club a license, for an initial term of ten years and, thereafter, for successive options of ten years at a cost of \$1.00 per year to construct, operate and maintain a creative playground in Highland Park for the benefit of the residents of the City of Pittsburgh.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced to the

bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 2452 Resolution authorizing the issuance of a warrant in favor of Dairy Barn Southeastern Ohio Cultural Arts Center in the amount of \$7,200.00, in payment for services provided to the Department of Parks and Recreation for a quilt exhibition at the Phipps Conservatory, furnished for the benefit of the City, chargeable to and payable from Phipps Conservatory Trust Fund, Department of Parks and Recreation. **(PRIOR APPROVAL GRANTED)**

Also,

No. 2453 Resolution transferring the aggregate amount of \$800,000.00 from various code accounts to Code Account SPP (254359), Special Parks Program in the amount of \$100,000.00 and to Code Account SSFSP (270256), Special Summer Food Service Program the amount of \$700,000.00 in the Department of Parks and Recreation. This transfer is necessary to fund the Summer Lunch Program in the Department of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 2454 An Ordinance supplementing the Pittsburgh Code, Title Four - Public Places and Property, Article XIII - Trees, Chapter 483 - Care and Maintenance, to include the requirement that any trees planted at the behest of a property owner shall not cause liability to be

imposed upon the City as a result of damage to the property.

Which was read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 2455 Communication from Michael Perry, City Clerk, submitting the First Quarterly Travel report for 1991, from various departments.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 2456

Report of the Committee on Finance for April 17, 1991 transmitting sundry resolutions and sundry ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2366

A Resolution entitled, "Resolution authorizing the Mayor and the City of Solicitor to enter into an Agreement or Agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh for outside legal counsel at a cost not to exceed \$40,000.00 (Forty Thousand Dollars) chargeable to and payable from Code Account 1075, Index Code 107508, Miscellaneous Services, Department of Law."

Which was read.

Also,

Bill No. 2389

An Ordinance entitled, "An Ordinance supplementing and amending the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, by changing 161.19 Development Proposals; Minority Participation Plan."

---(SPONSORED BY MR. DARKINS & MR. MILLIONES)

Which was read.

Also,

Bill No. 2390

An Ordinance entitled, "An Ordinance supplementing and amending the Pittsburgh Code, Title One, Administrative, Article V, Legislative, Chapter 151, Council, by changing Section 151.09, Participation Programs for Minorities and Women; Reports."

---(SPONSORED BY MR. DARKINS & MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Millions

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2394

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$2,120.00 to Christine Huber, 1065 Spring Garden Avenue, Pittsburgh, Pennsylvania, 15212, in full settlement of a claim for condemnation of property, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2395

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Finance Department, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh, to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' property in the 21st Ward of the City of Pittsburgh to the Pennsylvania Department of Transportation. Deed to be in Quit Claim for a total consideration of \$1,000.00."

Which was read.

Also,

Bill No. 2396

An Ordinance entitled, "An Ordinance amending Title Seven - Business Licensing, Article IX - Amusement Businesses, Chapter 777 - Mechanical Amusement Devices, Section 777.05 - License Fees by creating one category for mechanical and electronic amusement devices."

Which was read.

Also,

Bill No. 2397

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Walter H. Drane Company for professional services in connection with the preparation and printing of a supplement to the Pittsburgh Code."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2457

Report of the Committee on Public Works for April 17, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2296

A Resolution entitled, "Resolution vacating Tangent Way from Putnam Street northwestwardly 114.333 feet to a point by 20 feet in the 12th Ward, 9th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2388

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or the use of existing Agreements between the City of Pittsburgh, Pittsburgh Water and Sewer Authority, Mt. Lebanon Municipality and Baldwin Borough providing for the cost of construction of a public sewer in the Dorchester, Queensboro Area of the 19th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2410

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for furnishing, installing, removing and relocating certain electrical equipment necessary for the Street Lighting Department within the City of Pittsburgh, Department of Public Works, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2411

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for traffic signal installation at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

The Chair:

I'd like to ask Councilman Darkins if we could recommit Bill No. 2411. Public Works wasn't able to get us the information we needed on the bill prior to final vote. We wanted to increase that dollar amount.

Mr. Darkins:

So moved.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 2412

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for Street Lighting Transfers at various locations within the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2413

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for furnishing, installing, removing and relocating certain electrical equipment necessary for the Street Lighting Department within the City of Pittsburgh, Department of Public Works, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2458

Report of the Committee on Planning, Housing and Development for April 17, 1991 transmitting

two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2391

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Planning to enter into an Agreement or Agreements with the Carnegie for the use of Commonwealth funds for the construction of the Carnegie Science Center."

Which was read.

Also,

Bill No. 2392

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(4) of the Pittsburgh Zoning Code, Title Nine, Zoning, Article V, Chapter 993 to Rajiv R. and Swarna Varma for authorization to use the property located at 1823 LOCUST STREET as a parking area for six (6) automobiles on property zoned 'R2' Two-Family Residence District to service an office building located at 1811 Boulevard of the Allies, 1st Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Coyne

Mr. Darkins

Michelle Madoff

Mr. Milliones

Mr. Regan

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 2459

Report of the Committee on General Services for April 17, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2385

A Resolution entitled, "Resolution providing for an Agreement of Lease with Commerce Realty Associates, L.P., for certain office, computer and storage space, together with the right to use in common with others the common areas in the Chamber of Commerce Building, 411 Seventh Avenue, Pittsburgh, Pennsylvania, 15219, for a term of three (3) years and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 2460

Report of the Committee on Engineering and Construction for April 17, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2318

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts for the purchase of property and construction of the EMS prototype stations including but not limited to EMS #2 at Bausman Street, Council District #3; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council, we're all aware of the missing, ghost, and then suddenly reappearing, audit on the Water and Sewer Authority. I'm going to try to be non-political and to not read my first part of my press release, but I do want to share with the public some of my concerns.

"The Water and Sewer Authority is too important and valuable to Pittsburgh and the region to be treated in such a cavalier fashion.

The Controller's report hysterically sounding the alarm of higher water rates is irresponsible.

When the Water and Sewer Authority was formed, I was the first to have reservations about it. However, the Board has shown sound management practices and fiscal prudence."

As you may recall, for those who were here at the time, I know Mike recalls, I'm not sure whether Jack was here, but we called in, at my recommendation, an independent consultant to help us with the bonding. I wanted to have it as control of the City but I lost that vote and I'm pleased to say that there has been responsible action in the Water and Sewer Authority.

"All is not perfect in the Water Department. There is much left to be done and I will continue to overview the Water Department whether I am a Councilmember or Controller.

Let's look at the facts. Pittsburgh water rates remain below those of all our surrounding municipalities and most of the nation. The reliability of our water system delivery has greatly improved. The Water Department is doing a much better job under the Directorship of Dawn Botsford.

After reviewing my mini-audit with Director Botsford and Jim Turner, Chief Financial Administrative Officer, who have begun implementing many of my recommendations, we are already seeing substantive improvements. The telephones are no longer ringing off the hook at the Water Department with billing complaints.

Further, meter readers, at my recommendation, are to be checking each lot and block to assure that a demolished property is accurately recorded as a vacant lot. If there is a structure with no indication of a meter, that information is immediately turned in for follow-up.

The records of water customers are being cross-referenced with Alcosan for updates of owners and contact phones and will be updated through cross-checks with tax records.

Recalcitrant delinquent customer's water

supplies are finally being shut off with amazing results in payment plans.

The obsolete computerization system is being purged to separate City properties from private properties, rental properties from condominiums, commercial from industrial, vacant from occupied.

Director Botsford, in conjunction with Mr. Turner, has reviewed the PUC regulations and is modifying our Water Department to emulate good customer relations.

The replacement of the large meters at commercial and industrial sites which were inaccurate are now generating substantive dollars. An ongoing program to install remote meters is on schedule. Flat water rate users will see their low water pressure lines replaced and meters installed probably by the end of this year.

There has never been a question of the quality of our water supply, which has been listed in national media as the "champagne of waters".

What remains to be addressed is the collection of the \$12 million in outstanding delinquent accounts, down from \$18 million. With the collection of these accounts, everyone paying their fair share, I anticipate that water rates will stabilize and, perhaps, even decrease.

Of course, there is the outstanding matter of meeting EPA standards for covering our reservoirs. But, there is the option of turning these facilities into revenue generators by making them public sports or art activity centers. Funding for covers must, in large part, be made available from federal and state dollars.

And, last but not least, Pittsburgh is in the enviable position of having a surplus of fine water which we are actively marketing to abutting communities. These dollars will also

help keep our water rates down."

My biting comments about Tom are in the upper parts that people can read and I think it's inappropriate that I list them at this time.

The Chair:

Our agenda for the day is a 2:00 public hearing and at 2:30 the Standing Committee Meeting chaired by Councilman Milliones.

Mr. Ricciardi moved to approve the Minutes of Tuesday, April 16, 1991.

Mr. Milliones seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milliones**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, April 30, 1991

No. 18

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, April 30, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. COYNE

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Could we have a special moment of silent prayer for Mrs. Coyne, Michael's mother, who passed away and was buried today? Thank you.

PRESENTATIONS

Mr. Cohen:

Would Gert Caplan and Carolyn Lebowitz and Mrs. Rosen come up here please? I'd appreciate it.

Mr. Cohen presents

No. 2533 WHEREAS, Gertrude Forman Caplan is a leader in both the Jewish and general Pittsburgh communities who has dedicated herself to humanitarian causes, community efforts and the arts for many years; and

WHEREAS, Gertrude F. Caplan has served as President of the Ladies Hospital Aid Society and the Women's Division of the United Jewish Federation, was co-founder of the Central Scholarship and Loan Referral Service of the UJF, and has also devoted her energies and talents to such organizations as the National Council of Jewish Women, the Israel Bond Board, the Israel Heritage Room Scholarship Committee, Zionists of America, the United Way, the Civic Light Opera, the Pittsburgh Dance Council and the Three Rivers Shakespeare Festival; and

WHEREAS, Gertrude F. Caplan's vitality, warmth and dedication to important causes have motivated others to try to make a difference by becoming active in their community; and

WHEREAS, despite all of her commitments, Gertrude F. Caplan still has been able to devote herself to her family, including her distinguished husband, Paul S. Caplan, their daughters and their grandchildren; and

WHEREAS, Gertrude F. Caplan has earned recognition for her contributions to both the Jewish and Pittsburgh communities, having received such honors as the United Jewish Federation's Emanuel Spector Award, the Zionists of America's Tri-State Community Leadership Award, the ORT's Social Assistance Award, and the Israel Bond Golda Meir Woman of the Year Award; and

WHEREAS, the National Council of Jewish Women is honoring Gertrude F. Caplan on May 1, 1991 with the Hannah G. Solomon Award, awarded to a woman who, among other things, "has helped change and expand the role of other women in vital areas of community life".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the National Council of Jewish Women in honoring Gertrude F. Caplan for her significant contributions to the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Cohen:

I just wanted to say a few words here. I have had the privilege of working with Gertrude on a couple of things and it has really been a pleasure. It really has. She has the kind of warmth, the kind of vitality, the kind of energy that permeates any organization that she works for and I think she's the perfect person to receive the Hannah G. Solomon Award of the National Council of Jewish Women and I'm also happy that she has been recognized by the City of Pittsburgh. So, thank you very much.

Michelle Madoff:

I have been honored to know Auntie Mame, as she's fondly referred to by those of us who know her best, for many, many years. She's a one of a kind. They broke the mold when they made here and we can't put her through a Xerox. She's very special to all of us.

Mr. Cohen:

That's true.

Let me introduce a couple other people we have here today. I'm very happy that we have the former President of the National Council of Jewish Women, Pinky Lebowitz, and her mother here today, Mrs. Rosen. Thank you so much for coming down.

Ms. Caplan:

Councilman Cohen, Dan, Mr. President, Members of Council, and guests, you do me honor as does the Pittsburgh Section National Council of Jewish Women with this exciting, most unexpected, proclamation.

I'm a native Pittsburgher and I stood before the Pittsburgh Human Relations Committee several years ago in another capacity, and I said that Pittsburgh was a special City before Rand McNally told us we were No. 1,

particularly because we had so many resources and our most vital precious resource was, and continues to be, our people.

We're a people city, and this people city taking the time to honor an organization that has been in existence for 98 years and works very closely with the City in legislative problems, at family court, in concern for day care, in concern for senior elderly, and that this organization together with the City has done me this honor makes this a day for me to remember, and I thank you most gratefully.

Mr. Cohen:

If the people from the Woolslair School could come up, please, and Councilman Ferlo.

We have another resolution today that I'm happy to co-sponsor with Councilman Ferlo and it involves the Woolslair School.

Mr. Cohen and Mr. Ferlo present

No. 2534 WHEREAS, Woolslair Elementary School in Bloomfield was opened 94 years ago in 1897 and served as a regular elementary school of the Pittsburgh Public School system until June, 1986; and

WHEREAS, when it re-opened in September of 1986 as the Woolslair Elementary Gifted Center it began to provide special programs for gifted students from public and non-public schools of the Pittsburgh District; and

WHEREAS, in 1986 the Woolslair School building was designated a historical landmark by the Pittsburgh History and Landmarks Foundation and was subsequently placed on the National Register of Historic Places of the United States Department of the interior; and

WHEREAS, a plaque will be unveiled at a Historic Landmark Celebration to be held on Friday, May 3, 1991 at 6:00 p.m. to pay tribute to the students, parents, teachers, administration, City administrators and taxpayers of the City and to commemorate the school's heritage; and

WHEREAS, the Principal of Woolslair, Mr. Anthony J. Sansonetti, will retire at the end of this school term after 35 years of distinguished service to the Pittsburgh School District and after guiding Woolslair through its first five years as an elementary gifted center.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Mr. Anthony Sansonetti for his 35 years of leadership and wishes him the best of luck in his future endeavors; and

BE IT FURTHER RESOLVED, that the Council hereby proclaims May 3, 1991 as "Woolslair Elementary Gifted Center Day" in the City of Pittsburgh in recognition of this School's long and vital participation in the educational system in this City.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Members of Council, let me take a moment just to introduce the people that we have here today. Next to Councilman Ferlo is Tony Sansonetti, the Principal of Woolslair School. Next to Tony is Mrs. Catullo who is the Alumni Representative from Woolslair; she just graduated from Woolslair a few years ago. Next to her we have a couple of students from Woolslair today, Amber Jackson, and her mother

is here right behind her. And we have Matthew and, I believe that's Gregory Hough, and their mother is behind them. And we have Michael Cardone who is the representative of the Bloomfield Business Association. Thank you all for coming here.

I just wanted to congratulate Woolslair on its historic heritage and also congratulate Mr. Sansonetti. I know Tony quite well and I know that even though he's retiring this year, he is going to stay active in his community because he has a great deal of energy that he has already devoted to the community and I'm sure he'll continue to do so.

Mr. Ferlo:

Often times a beautiful building, in this case Woolslair School, is personified by its architecture. In this case it's a tremendous recognition of a beautiful building, and I think Dan and I are both very honored to be a part of the ceremony and the proceedings on Friday.

But this building also happens to be personified by a great Principal. I've worked with Tony for many years in the community of Bloomfield. He actually wears a lot of different hats and I know him mostly not only as a principal, though he's a great one, but he's an active community leader with the local business and merchants group.

So, I'm very honored, with Dan, to be a participant Friday in the celebration. I think Tony will outline that he would like all of the City to participate and be out there at the ceremony.

At this time, I'm very honored to introduce Tony.

Mr. Sansonetti:

Mr. President and Councilmembers, I do

want to thank you very much on behalf of the 1,438 students that attend Woolslair Elementary Gifted Center. We service 88 schools, both public and non-public schools.

I was expecting to come here to get accolades in terms of the proclamation of becoming a historical landmark, and I here my name being mentioned for retirement. I'm not retiring, I'm moving into a field of different kind of interests and endeavors.

But I would like to say this on behalf of the students. We have two fine examples of our elementary school students here in Matthew and Amber. Their parents play a very big part in the success of the students in our school and I would like to also acknowledge Mrs. Catullo who has been the liaison person for the Alumni.

On Friday evening at 6:00 p.m., we're inviting all the public and we'd like to invite the Councilmembers to also be in attendance, along with School Board Members, the Administrators of the Pittsburgh Public Schools, and the Officers and Principals of public and non-public schools. We think it's a day that we're going to remember and be very, very proud of. We'd like to invite you and, again, thank you very much for this great honor.

Mr. Ferlo:

I'd like the Giannotta family to come up here, Jessica. Mom and Dad.

Mr. Ferlo presents

No. 2535 WHEREAS, Jessica Giannotta, currently a Junior at Peabody High School, applied for participation in the Japan-U.S. Senate Scholarship Program; and

WHEREAS, the purpose of this unique scholarship program is to strengthen the

relationship between the U.S. and Japan by providing an opportunity for friendship and, often times, life-long family ties; and

WHEREAS, two students from each state are chosen through an extensive selection process and then officially appointed by their U.S. Senators; and

WHEREAS, YFU, Youth For Understanding International Exchange, is one of the world's largest and most distinguished exchange organizations. The exchange program was chosen by the Government of Japan to strengthen world friendship; and

WHEREAS, Jessica, having received a partial scholarship to spend this summer in Japan, will find that her overseas experience is an asset when applying for college, and often provides a basis for choosing a career in international relations, trade or international business; and

WHEREAS, Jessica is in good standing in her Junior class. She has shown leadership potential, demonstrated through extra-curricular activities and community involvement. She has shown that she is able to adjust to another culture, open-mindedness, curiosity, sense of humor and motivation for a cross-cultural experience.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Tuesday, April 30, 1991 as "Jessica Giannotta Day" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I told her I'd make her blush. It's not often a Junior gets to have a day named after her; usually Councilman Regan gets to do that. We pulled a fast one here and got Jessica up here.

I'm very honored to be a part of this effort in a small way. We have one problem and I'm going to make an appeal to my colleagues in City Council here as well as to the public. You can imagine that a trip like this for as long as the trip will be, over the summer, to Japan, is an expensive proposition. We are making an appeal today to the public and to my colleagues to help out financially. We need to raise about \$600 more, and I'm going to contribute \$100 towards Jessica and towards the fund.

Mr. Regan:

I'll donate \$50.

Mr. Ferlo:

My colleague, Mr. Regan, has donated \$50, so you have another \$150.

Mr. Milliones:

I'll donate \$100, Mr. Ferlo.

Mr. Regan:

I'm up to \$100.

Mr. Ferlo:

Okay, we're up to \$300 now; I need \$300 more.

Michelle Madoff:

First of all, I'll make \$100 if Council, from it's funds, give \$100.

Mr. Ferlo:

So far we have \$450 and I think that's a good start. So, we only need about \$150 more.

At this time, I do want to recognize the parents, Mr. and Mrs. Giannotta. We appreciate them for coming down today. I know they're excited about this. In fact, they're so excited, they're speechless and they only want to have their daughter say a few words. So, at this time, I'm very proud to introduce Jessica.

Jessica Giannotta:

Thank you very much. I'm very honored to have received this scholarship, and even more honored to be representing Pittsburgh, Pennsylvania, as well as the United States in Japan.

Hopefully, through more endeavors such as these, we will see any gaps between the U.S. and Japanese citizens narrow greatly.

For the six weeks I'm in Japan I will be experiencing their culture in its truest form by living with a Japanese family, and I am so very excited to learn as much as I can about the Japanese language and the culture.

I want to thank everyone that has helped me take advantage of this opportunity, the faculty of Peabody, Mr. Carr, my Principal, and Mr. Donaldson, a teacher that has been very helpful, my family and friends, and, of course, Jim Ferlo and the City Council Members. You all should give yourselves a hand.

I hope that many others of all ages will be able to have opportunities like this as well, and I thank you again. Please, give yourselves a hand.

Mr. Ferlo:

Thank you. I'll be around to collect those

checks later on in the week. Thank you very much.

Michelle Madoff:

Get to my office before its spent.

The Chair:

Thank you.

Michelle Madoff:

Butch Keenan, Sandy Cust and Stu Sloan, would you please come forward? It is with great pleasure that I move the following resolution.

Michelle Madoff presents

No. 2536 WHEREAS, Parents Without Partners is an international, non-profit, educational organization devoted to the welfare of single parents and their children; and

WHEREAS, Parents Without Partners was founded in 1957 in New York by two single parents in a church basement, and now has over 195,000 active members in the United States, Canada, and in several European countries; and

WHEREAS, all 900 chapters are run by volunteer members who assume a variety of leadership roles that include four balanced areas: educational activities; family activities; social-recreational activities; public service in the communities; and

WHEREAS, Parents Without Partners Zone B, with over 25,000 members, holds its annual meeting and the other 900 chapters holds monthly meetings, educational programs, dances, family picnics, discussion groups, community service programs, sports events, tots programs for children through age 6, buddies and

pals ages 6 through 11, and international youth council for teens.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Parents Without Partners Zone B for their inspiration in forming and continuing this great organization, and does hereby proclaim the weekend of May 3-5, 1991 as Parents Without Partners Weekend in the City of Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Keenan:

Councilwoman Madoff, thank you very much. On behalf of the Western Pennsylvania Regional Council, I want to thank Council for this proclamation. They have been here in the past for us; they are here now.

We would also like to invite you all out to our conference this weekend. If you come out, you'll get to see some of the things we do, our workshops, our dances, a little bit of everything that we try to do to help with the families of single parents.

I do again want to thank you all very much. Thank you.

Mr. Regan:

I'd like to call Jim and Rudy Agras up here at this time. This is a businessman who made it big on the North Side, James Agras, and we're very, very proud of him.

Mr. Regan presents

No. 2537 WHEREAS, The 1991 Small Business Week theme is "Small Business: Building America's Future"; and

WHEREAS, James R. Agras, President of the Triangle Tech Group, oversees all operations at Triangle Tech Schools in Pittsburgh on the North Side, Erie, Greensburg and DuBois, in addition to Business Careers Institute, Greensburg and Monroeville School of Business. In addition, he owns and operates Electra/SAL Travel in Green Tree, SAL/Electra Travel in McMurray, two child daycare centers, a leasing company, a vending service, and commercial real estate properties; and

WHEREAS, under the direction since 1974, Triangle Tech has grown from one school to six, from 60 students to approximately 1,400, and from 9 to 240 employees; and

WHEREAS, in 1989 Jim Agras was appointed by Pennsylvania Governor Robert P. Casey to serve a two year term on the Pennsylvania Job Training Coordinating Council; and

WHEREAS, in 1989 and 1990 Jim was named a finalist by Arthur Young and INC Magazine in the annual Tri-State Entrepreneur of the Year Awards Program; and

WHEREAS, in November, 1990 Jim was appointed to serve as a member of the Allegheny County Commission for Workforce Excellence and as the only business person selected from Pennsylvania to join the May, 1990 "Democratic Watch" visit to Bulgaria; and

WHEREAS, Jim is also a member of the Pennsylvania Citizens Project and is a member of the Pittsburgh Opera's Executive Committee and Board of Directors. He participates on the Board of Directors of the St. Francis Hospital Foundation and the Sudden Infant Death

Syndrome (SIDS) Foundation.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the citizens of Pittsburgh in recognizing James R. Agras for his substantiated history in business, the impact of his business on the job market, continued growth, and contribution to community projects; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Tuesday, April 30, 1991 as "James Agras Day" in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

We're very honored. Jim is of Greek extraction and we're all proud of him on the North Side. We know one word in Greek here in Council, and it means love.

Michelle Madoff:

I want to tell you that I have known Mr. Agras for a very long time and everything you have said about him is a great understatement.

The thing that he offers that I think is even more important than everything that has been said is an opportunity for our under-employed and people who are not employed to have an opportunity to get professions. They run one of the most professional schools in the country. They have one of the highest standards. And people who are able to take advantage of their programs and there are grants available --

I sound almost like a commercial and I don't mean to, but I think you offer one of the most important opportunities to this community. And for that, as a member of this community and as an elected official, I thank you very much.

Mr. Agras:

It could only happen in America!

Actually, as Baldy read in his proclamation, last year I was a finalist for Entrepreneur of the Year. Out of I don't know how many hundreds of people who were submitted, I made it down to the final three, and then the Committee came back and interviewed the three finalists again at length.

One of the questions that they posed to me about whatever degree of success I may enjoy was, to what do you attribute it? I told them emphatically, the old stock question, I said, probably because I have confidence in my key people and I permit them to operate within their own department without interfering. They also help make me look good.

The remark that came back from one of the referees who was judging my responses, it was interesting. He said, "That's nice, and that's nice of you to say that, but then maybe we're interviewing the wrong person. Maybe we should be interviewing the people that made you look good."

Whether it was a good answer or not, or a wrong answer, that's, in fact, the one I imparted and I still believe in. They thought it was a negative response.

So, I really want first to thank the Mayor of this City, the President of City Council, and the Members of the Council, for honoring me with this proclamation today. It's gratifying but it goes beyond the corporate level. My satisfaction in

the City of Pittsburgh is giving back to some of non-profits and serving on opera boards and hospital boards and so forth. I believe it's important to give back to the City.

Again, thank you and I'll cherish this along with my son, Rudy. Thank you.

Mr. Ricciardi:

I would like to ask our honorees from the Beechview Center to please come forward, along with Nancy Gratton who is our Center Director and Michael Senko, Program Director of Special Populations. And our special honoree today is Gemma Ommogrosso, a member of our Century Club, a club that this Pittsburgh City Council created last year.

Gemma mentioned that she thanked City Council that she had an opportunity to sleep in this morning since the time was changed to this afternoon. Gemma also stated that in the last couple of weeks we kept her busier than she has been in the last 100 years. That comes right from Gemma.

The center is also located in our President's district, Councilman Jack Wagner of Beechview.

Mr. Ricciardi presents

No. 2538 WHEREAS, the month of May is an ideal time to honor Pittsburgh's senior citizens because with the Spring season comes the celebration of brighter days and the promise of a full life; and

WHEREAS, the theme for this month-long tribute is "In Praise of Aging" in recognition of the senior adults as a vital part of the Pittsburgh community; and

WHEREAS, Citipark's senior centers

facilitate the social, emotional and physical well-being of older adults and promote the older person's confidence in his or her ability to lead an independent life; and

WHEREAS, "In Praise of Aging" aims at sensitizing seniors to their own capabilities and celebrating the richness of growing older.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the month of May as "Older Americans Month" in the City of Pittsburgh to heighten community awareness of elderly citizens and their activities; and that the week of May 6 through May 10, 1991 be recognized as "Senior Center Week" in conjunction with the programs conducted by Citiparks; and

BE IT FURTHER RESOLVED, that the twenty-five (25) members of the "Over 90 Club" and Gemma Ommogrosso, member of the "Century Club", are recognized today.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I am very honored today to read this resolution. Because of the many fine efforts of our older adults in the City of Pittsburgh, it's a much better place to live.

I'd like now to ask Michael Senko who is the City of Pittsburgh Program Director to please step forward and maybe tell us about some of the activities this week.

Mr. Senko:

I want to thank Councilman Ricciardi and all the Members of City Council for your continued support and this recognition of the Senior Center Program.

I'd also like to mention that I appreciate this opportunity to publicly promote what the program does to further the needs and concerns of the elders of the City of Pittsburgh.

Today is really the first event of a month-long range of activities. We have a ceremony in the lobby of the City-County Building this coming Monday that all the members of the Over 90 and the Century Club will be there and the Mayor will preside. At that time, the Love Award will be presented and that's to recognize an individual's outstanding effort to promote the field of aging in a volunteer capacity.

Our activities In Praise of Aging continue with each neighborhood center, will be featured in the lobby of the City-County Building each day throughout May. We'll have a program this Friday at Century III Mall and I encourage all of you and every member of the community, regardless of your age, to visit one of our centers throughout Senior Center Week and they'll be hosting a number of showcase activities.

Just one last thought I want to leave everybody with is to remember that it's not how old you are but how you are old.

Mr. Ricciardi:

Before I introduce our guest of honor, I would just like to say that it's a pleasure serving on this City Council because during the budget times when we had to look and slash some programs, we are very protective of the senior programs for the older adults, and I think that's a compliment for all of my colleagues on City Council.

Before I introduce Gemma, I would just like to say how important these resolutions are because, as this City Council remembers, when we created the Over Century Club, we then had two members and the other member was David Christian who was a counterpart of Gemma and also a good friend who reached the age of 102 years old, but a few months ago passed away. Councilman Regan and myself were able to attend the memorial service in Northview Heights. In his private possessions, they were all on the table, he had kept the resolution that this City Council had given him. We added some happy days to his life because of that and I think that's a compliment to all of us.

Now there's many other people who are in the 90 Club that are reaching the 100 Century Club and their spokesperson today is Gemma Ommogrosso and, Gemma, would you like to say a few words to the City of Pittsburgh and Pittsburgh City Council, please?

Ms. Ommogrosso:

Thank you for everything you've done. I am 100 years old. I was born October 24, 1890 in the Old Country. I came to this country; I was 20 years old when I came.

Thank you very much, City of Pittsburgh, for all the confidence they gave to me. This 100th birthday was the best day I ever had because I worked all my life. I started when I was 11 years old, I worked in this country at the Schenley Hotel until 1974.

Thank you for everything.

Mr. Cohen:

I had the privilege of meeting Gemma just a couple of weeks ago at the Hilton Hotel at the volunteer luncheon. You were heading up towards the dance floor and, if I remember, I

asked you to dance at that time and you said no. I thought the reason was that you thought I couldn't keep up with you. Congratulations.

The Chair:

Councilman Ricciardi, you couldn't have picked a better center and a better person than Gemma.

I have a couple resolution I'd like to present. I'd like to ask Michelle Cole to please step forward to receive this resolution.

I'm very honored to present this resolution and the following resolution. Council has been extremely involved with this program, as everyone will see when the resolution is read.

The Chair presents

No. 2539 WHEREAS, Neighborhood Legal Services (NLSA) is a private non-profit corporation established in 1966 to provide legal services in civil cases to low-income people; and

WHEREAS, NLSA serves residents of Allegheny, Beaver, Butler and Lawrence Counties with a staff of 85 – attorneys, paralegals and support personnel. City of Pittsburgh neighborhoods are served from the central office at 928 Penn Avenue and part-time Outreach offices located in Homewood, North Side, South Side, Hill District, South Oakland and Lawrenceville; and

WHEREAS, more than 60% of NLSA's cases are family issues, domestic abuse, custody, support, child neglect and divorce referrals with the remainder of cases dealing with housing problems, consumer affairs, employment issues, social security and welfare problems. Two-thirds of NLSA cases are settled without litigation.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh recognizes the contributions of Neighborhood Legal Services to the well-being of the citizens of Pittsburgh and congratulates its management and staff on twenty-five years of dedicated services to low income people in need of civil legal services.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

It's an honor to have you here today, Michelle, to receive this resolution. Obviously for 25 years you've been doing great deeds for our City and our region. Would you please say a few words?

Ms. Cole:

Mr. President, Members of Council, thank you very much. On behalf of Neighborhood Legal Services, our staff, our board, and most particularly our clients, I want to thank you particularly for staying with us for so long.

Twenty-five years, for us, seems to be a long time and some of those years have been pretty difficult, but your support has helped us enormously. It has encouraged us and made us believe that we are a true part of the community and helped us serve the clients that need us most. Thank you.

The Chair:

We have one final resolution and there are four people remaining and I'd like to ask all four of them to step forward to receive it; Bob Prentiss who is the Chairman of the Advisory

Council of The Foster Grandparents Program, Jim Farwell the Executive Director, and two grandparents who are with us here today, James Boswell and Frances McCaskill. We'd like to welcome all of you to Council to receive this resolution.

There is a luncheon coming up this week to celebrate The Foster Grandparents Program, of which I am sure several Members of Council will be attending.

The Chair presents

No. 2540 WHEREAS, The Foster Grandparents Program (FGP) is a three-county program, sponsored locally by the Pittsburgh Allegheny County Chapter of the American Red Cross and includes Allegheny, Beaver and Butler Counties; and

WHEREAS, The Foster Grandparents Program (FGP) provides an opportunity for men and women aged 60 or over to provide supportive person-to-person services in health, education, child welfare and related settings to help alleviate the physical, mental or emotional problems of children having special or exceptional needs; and

WHEREAS, foster grandparents volunteer 20 hours per week with children under age 21 who have special or exceptional needs such as runaway youth, teenage parents, and those developmentally disabled; and

WHEREAS, foster grandparents enhance the lives of the children they serve, offering love, affection, support, friendship, guidance and hope, while assisting children in therapeutic and educational activities, as well as going for walks, reading, providing hugs, offering a lap to sit on and having fun; and

WHEREAS, these wonderful volunteers will be honored and recognized at an Annual

Luncheon on May 3, 1991 at the Hyatt Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and thank all of those involved with The Foster Grandparents Program (FGP) for their devotion to children with special and exceptional needs, and hereby proclaims May 3, 1991 as "Foster Grandparents Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair:

I am honored to present this resolution to all of you because we all realize the real needs out there in our society today with children. And the fact that so many foster grandparents are volunteering their time to put children back on the right track is something that is a significant contribution to this City and to this region.

I would like to ask one or several of you to please say a few words.

Mr. Prentiss:

We are grateful to City Council for this recognition of a group that's like a one-two punch; it's the older generation getting together with the younger generation to do some good. And for that, we're grateful. Thank you.

Mr. Farwell:

Thank you, City Council President, and thank you, Council. It's really my pleasure to accept this award. I think it's really a marvelous tribute to the dedication and care that the over 200

foster grandparents throughout the 3 county area do give to the children who are emotionally disturbed, mentally retarded, physically and learning disabled.

I think they also show that they are a wonderful role model that once you retire you don't have to give up, that there is another wonderful world out there of volunteerism. We have two perfect examples of that here today.

Again, thanks very much.

Ms. McCaskill:

First of all, I want to thank everybody. Being a foster grandparent is a very rewarding thing. You really don't know what you get back from those children when you give them love. I'm just glad to be there.

Mr. Boswell:

I thank God that City Council recognizes what we have to go through and what our young people have to come through. I just feel it's a great honor to be a part of that program, that we can be of help to those young mothers and fathers and children who have been in broken homes. Thank you.

The Chair:

Councilman Ferlo asked me to remind everyone that in order to get that additional \$150, checks can be sent to Peabody High School Japan-U.S. Senate Fund, in care of Mr. Vincent Carr, the Principal of Peabody High School, at 515 North Highland Avenue, Pittsburgh, PA 15206. Thank you.

Mr. Cohen presented

No. 2472 Resolution further amending Res. No. 310, eff. April 25, 1980, as amended by

Res. No. 327, eff. April 16, 1981, as amended by Res. No. 1007, eff. October 14, 1982, as amended by Res. No. 712, eff. August 25, 1987, as amended by Res. No. 202, eff. April 3, 1989, as amended by Resolution No. 900, eff. August 30, 1990, entitled "Providing for an Agreement or Agreements, with a Consultant or Consultants for Consultant Services in connection with the design of the Golden Triangle Computerized Traffic Signal System; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation; and providing for the payment of the cost thereof," by increasing the total project allocation by \$30,000.00 from \$1,317,000.00 to \$1,347,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 2473 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase and installation of poles and street lights at various locations within the City of Pittsburgh, at a cost not to exceed \$150,000.00, chargeable to and payable from Central Business District Street Lighting, Index Code 801506, \$75,000.00 and Central Business District Street, Index Code 801514, \$75,000.00.

Which was read and referred to the Committee on Public Works.

Also,

No. 2474 An Ordinance amending the Pittsburgh Code of Ordinances, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 615 - Commercial Public Nuisances by adding a prohibition against facilities where controlled substances are illegally bought, sold or used.

---(SPONSORED BY MR. DARKINS)

Which was read and referred to the Committee on Public Safety.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2475 Resolution authorizing the issuance of a warrant in favor of Roy Miller Co. in the amount of \$875.00 in payment for work furnished for the benefit of the City in connection with the location of a sewer in Clyde Street, chargeable to and payable from Code Account 1610, Misc. Services.
(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 2476 Resolution granting unto Harvey Light, 4117 Liberty Avenue, his successors and assigns the privilege and license to construct, maintain and use at his own cost and expense, a handicap ramp on a portion of the sidewalk of Liberty Avenue, in the 8th Ward, 7th District of the City of Pittsburgh. This request is made by Harvey Light, to allow handicapped persons to gain entry to his building.

Also,

No. 2477 Resolution granting unto Joseph Laffey, 1269 Duffield Street, his successors and assigns the privilege and license

to construct, maintain and use at his own cost and expense, a wheelchair ramp on a portion of the sidewalk of Duffield Street, in the 10th Ward, 7th District of the City of Pittsburgh. This request is made by Mr. Laffey, a former police officer who is confined to a wheelchair, who needs the ramp to gain entry to his home.

Also,

No. 2478 Resolution granting unto South Side Development Co., 1417 E. Carson Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, 10 porches and 10 flights of steps on a portion of the sidewalk of Breed Street and S. 13th Street in the 17th Ward, 3rd District of the City of Pittsburgh. This request is made by South Side Local Development Co. that due to the townhouse construction, the porches and steps had to be constructed in the right-of-way.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2479 Resolution providing for an Agreement or Agreements with the Pennsylvania Historical and Museum Commission in connection with the City's Historic Preservation Program.

Also,

No. 2480 Resolution authorizing the City Controller to establish a special trust fund entitled "Historic Preservation Program/Pennsylvania Historical and Museum Commission Trust Fund."

Also,

No. 2481 Resolution providing for the filing of a Community Development statement

by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories. The "1991 Community Development Block Grant - Statement" with the Department of Housing and Urban Development has an anticipated total budget of \$15,699,992.00.

Also,

No. 2482 Resolution amending Res. No. 290 eff. April 13, 1989, as amended by Res. No. 682, eff. July 20, 1990 entitled "Providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Small Chore and Shopping Program) to provide administrative support to the Agency, so as to increase the amount appropriated from \$12,750.00 to \$15,250.00 (+ \$2,500.00 1991 funds).

Also,

No. 2483 Resolution amending Res. No. 289 eff. April 13, 1989, as amended by Res. No. 681, eff. July 20, 1990 entitled "Providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Senior Escort Program) to provide administrative support to the Agency, so as to increase the amount appropriated from \$15,143.00 to \$17,643.00 (+ \$2,500.00 1991 funds.)

Also,

No. 2484 Resolution providing for an Agreement or Agreements with Hunger Services

Network for administrative assistance and operating funds for their Penn Avenue Office in an amount not to exceed \$55,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Planning, "Hunger Services Network".

Also,

No. 2485 Resolution providing for an Agreement or Agreements with the Jewish Community Center for financial assistance in the operation of their scholarship program, in an amount not to exceed \$27,500.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Jewish Community Center".

Also,

No. 2486 Resolution providing for an Agreement or Agreements with Persad, Inc., an organization that provides counseling and information for AIDS related victims in an amount not to exceed \$32,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, Department of City Planning.

Also,

No. 2487 Resolution providing for an Agreement or Agreements with Generations Together for administrative assistance with their youth volunteer services for the elderly program in an amount not to exceed \$10,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Generations Together."

Also,

No. 2488 Resolution providing for an Agreement or Agreements with United Jewish Federation of Pittsburgh for administrative

assistance in operating a Career Development Center for the unemployed, in an amount not to exceed \$37,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "United Jewish Federation of Pittsburgh".

Also,

No. 2489 Resolution providing for an Agreement or Agreements with CareBreak to provide support to low and moderate income families caring for handicapped children at home, in an amount not to exceed \$50,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "CareBreak".

Also,

No. 2490 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out hunger related programs for public services to low and moderate income persons, in an amount not to exceed \$150,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Planning, "Pittsburgh Community Services, Inc.".

Also,

No. 2491 Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the implementation of the Home Security Program and the installation of locks and smoke detectors in the City, in an amount not to exceed \$242,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, Department of City Planning, "Home Security Program".

Also,

No. 2492 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City, at a cost not to exceed \$75,000.00.

Also,

No. 2493 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons, in an amount not to exceed \$210,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, "Small Grants Program".

Also,

No. 2494 Resolution providing for an Agreement or Agreements with the Commission on Families for administrative support in operating their programs at a cost not to exceed \$73,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, Department of City Planning, "Commission on Families".

Also,

No. 2495 Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for administrative assistance in operating the "Housing Counseling Program" for low-moderate income families, at a cost not to exceed \$210,000.00, chargeable to and payable from the 1991 Community

Development Block Grant Program, Department of City Planning, "Housing Counseling Services".

Also,

No. 2496 Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus, for low and moderate income persons, from May 1, 1991 through April 30, 1992, at a cost not to exceed \$200,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, "Hill/Oakland Loop Bus", Department of City Planning.

Also,

No. 2497 Resolution providing for an Agreement or Agreements with a consultant or consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program, at a cost not to exceed \$200,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, Department of City Planning, "Neighborhood Commercial Analysis and Support".

Also,

No. 2498 Resolution providing for an Agreement or Agreements, or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, or related activities, at a cost not to exceed

\$215,000.00.

Also,

No. 2499 Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) for the purpose of assisting the City in preparing and implementing a two-way communications process for the purpose of citizen involvement in planning, implementing and evaluating City programs and projects including but not limited to the Six-Year Development Program, the Community Development Block Grant Application and the Neighborhood Revitalization Program, and for providing planning and architectural assistance, at a cost not to exceed \$300,000.00, chargeable to and payable from the 1991 CDBG Program, "Citizen Participation and Technical Assistance", Department of City Planning.

Also,

No. 2500 Resolution providing for an Agreement or Agreements with Pittsburgh Partnership, Inc., for administration of a program to provide funding for community development corporations undertaking community economic development activities, at a cost not to exceed \$365,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, Department of City Planning.

Also,

No. 2501 Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Corporation for administrative and/or operating assistance in running a low-moderate income youth-oriented facility, at a cost not to exceed \$10,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Bloomfield-Garfield Corporation.

Also,

No. 2502 Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their "Employment Training Program for Special Need Adults" in an amount not to exceed \$8,500.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, Community College of Allegheny County.

Also,

No. 2503 Resolution providing for an Agreement or Agreements with Elder-Ado, Inc., for administrative-operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$15,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Elder-Ado".

Also,

No. 2504 Resolution providing for an Agreement or Agreements with the Elizabeth Seton Center for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$10,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Elizabeth Seton Center".

Also,

No. 2505 Resolution providing for an Agreement or Agreements with the Esplen Senior Citizens Association for operating assistance in running their Food Bank Project, at a cost not to exceed \$5,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, Esplen Senior Citizens Association.

Also,

No. 2506 Resolution providing for an Agreement or Agreements with Garfield Jubilee Association for administrative/operating support for their Community Maintenance Program in an amount not to exceed \$5,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Garfield Jubilee Association".

Also,

No. 2507 Resolution providing for an Agreement or Agreements with the Golden Carriage, Inc., a non-profit corporation, to provide community social services including a shopping-transportation escort service to the aged, handicapped, and disabled in an amount not to exceed \$2,500.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Golden Carriage".

Also,

No. 2508 Resolution providing for an Agreement or Agreements with the Hazelwood-Glen-Hazel-Glenwood Citizens Council for administrative assistance at a cost not to exceed \$5,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Hazelwood-Glen-Hazel-Glenwood".

Also,

No. 2509 Resolution providing for an Agreement or Agreements with Homewood-Brushton Community Improvement Association for expansion to and operating assistance for their multi-purpose recreation facility in an amount not to exceed \$5,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City

Council, "Homewood Brushton Community Improvement Association.

Also,

No. 2510 Resolution providing for an Agreement or Agreements with the Lawrenceville/Bloomfield Meals on Wheels for maintenance and program support in an amount not to exceed \$2,600.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Lawrenceville/Bloomfield Meals on Wheels".

Also,

No. 2511 Resolution providing for an Agreement or Agreements with Lawrenceville Citizens Council for administrative/operating support of their "Housing Information Program" in an amount not to exceed \$5,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, Lawrenceville Citizens Council.

Also,

No. 2512 Resolution providing for an Agreement or Agreements with the Lawrenceville Development Corporation for acquisition and site preparation in their housing development and revitalization program at a cost not to exceed \$5,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, Lawrenceville Development Corporation".

Also,

No. 2513 Resolution providing for an Agreement or Agreements with the Minority Youth Development Company to provide administrative support to the Agency (to operate a "Mentor Relationship with Urban At-Risk Youth" Program) in an amount not to exceed

\$6,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Minority Youth Development Company".

Also,

No. 2514 Resolution providing for an Agreement or Agreements with Mom's House to purchase a building and provide administrative assistance with their services for Unwed Mother's Program in the amount not to exceed \$6,388.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Mom's House".

Also,

No. 2515 Resolution providing for an Agreement or Agreements with the Perry Hilltop South CDC for administrative support in an amount not to exceed \$20,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Perry Hilltop South CDC".

Also,

No. 2516 Resolution providing for an Agreement or Agreements with Riverview Center for Jewish Seniors for administrative assistance in operating the therapeutic activity social services programs for the severely mentally impaired, in an amount not to exceed \$11,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Riverview Center for Jewish Seniors".

Also,

No. 2517 Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for assistance in carrying out their "adopt a lot"

program in an amount not to exceed \$22,888.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Spring Garden Neighborhood Council, Inc."

Also,

No. 2518 Resolution providing for an Agreement or Agreements with Ursuline Center for administrative support in operating programs serving elderly, homebound elderly, unemployed, disabled and child care center, in an amount not to exceed \$3,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Ursuline Center".

Also,

No. 2519 Resolution providing for an Agreement or Agreements with Women's Center and Shelter, an organization that provides counseling and information for the low-income women experiencing domestic violence problems, in an amount not to exceed \$12,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Women's Center and Shelter".

Also,

No. 2520 An Ordinance amending the Pittsburgh Code, Title Nine "Zoning", Article III, Chapter 921, Section 921.02, Zoning District Map No. 17, by changing: From "R2" Two-Family Residence District and "R4" Multiple-Family Residence District to "C3" Commercial District all that certain property bounded by: BARTLETT STREET; Lot No. 273, Block 86-L in the Allegheny County Lot and Block System; Lot No. 293, Block 86-R in the aforesaid System; BEACON STREET and the "C3" Zoning District Boundary Line located east of

MURRAY AVENUE between BARTLETT STREET and BEACON STREET, 14th Ward. (Council District No. 5)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 2521 Resolution amending Res. No. 629 of 1988 which amended Res. No. 222 of 1988 entitled "Providing for a professional services agreement or agreements for the Administration of the City's Workers Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991, and providing for the payment of the cost thereof, subject to annual appropriations, at an annual cost not to exceed \$650,000.00, chargeable to and payable from Code Account 44, Workmen's Compensation Fund, Department of Finance", by extending the term of the agreement to December 31, 1991.

Also,

No. 2522 Resolution providing for a professional services agreement or agreements or to use existing agreements for the provision of support, design, and programming services to City Information Systems at a cost not to exceed \$85,000.00, chargeable to and payable from Code Account No. 1043, Misc. Services, City Information Systems, Department of the Mayor.

Also,

No. 2523 Resolution providing for an agreement or agreements with Church of the Good Shepherd and the Shepherd Wellness Community, a non-profit organization, to provide bi-weekly dinners and other services for City residents, at a cost not to exceed \$6,000.00, chargeable to and payable from Code Account

No. 1100, Misc. Services, Department of Personnel and Civil Service Commission.

Which were severally read and referred to the Committee on Finance.

Mr. Regan:

I have one of Mr. Coyne's bills here. I must have made a mistake because I know Mr. Perry never does.

Mr. Regan presented

No. 2526 Resolution providing for an agreement of professional services with ACCESS, 1011 Glendale-Milford Road, Cincinnati, Ohio 45215-1107, and Acme Visible Records, 228 Carlisle Avenue, Pittsburgh, PA 15229, for the move of equipment back to the Public Safety Building, at a cost not to exceed \$17,680.75, chargeable to and payable from Code Account CCIISP, Bureau of Administration, Department of Public Safety. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on General Services.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi presented

No. 2524 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Public Welfare, Pennsylvania

Developmental Disabilities Council, for a grant in connection with the CITIPARKS "Integration Initiative Program" providing for the execution of the Grant(s) and for the filing of requisitions and other data approving the Project providing for the required assurances; providing for execution of payment vouchers or letters of credit and for certification of authorized signatures and providing for the deposit of the funds in the Special Parks Program Trust Fund account. The amount of the grant award is for \$30,000.00 and will extend over a two year period.

Also,

No. 2525 Resolution providing for an agreement or agreements with the City Theatre Company, Inc., for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1991, at an aggregate cost not to exceed \$28,900.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation in the amount of \$15,000.00 and Code Account SPPTF, Special Parks Projects Trust Fund in the amount of \$13,900.00, in the Department of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 2527 Resolution providing for the issuance of a warrant in favor of Adolph Suffrin, Inc., 5770 Baum Boulevard, Pittsburgh, PA 15206, in the amount of \$10,060.00 for the purchase of a paper folder in the City Clerk's Office, chargeable to and payable from Code Account 1006, Equipment, City Clerk's Office. --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 2528 Communication from Thomas Flaherty, City Controller, submitting the Performance Audit of the Pittsburgh Water & Sewer Authority.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair:

I would ask Councilmembers to submit names by the week's end, if you could provide that name on that Reapportionment Committee that we talked about a couple of weeks ago. Thank you.

Mr. Ricciardi:

Mr. President, I think if Mr. Perry can inform us, I think we might be short on names for the Water Exoneration Board.

The Chair:

An excellent point. On the Water Exoneration Board, we still need a couple names to be submitted. In addition to the Water Exoneration Board, we need a couple of names on the Ethics Committee to be submitted to the Mayor so that the Mayor can pick from a list of nine. So, if you have any other candidates, please submit them as soon as possible to Mr. Perry.

Mr. Ricciardi:

If I may, Mr. President, on how important it is that we submit our names to the Water Exoneration Board because we have now around 70 cases that have back logged and I have received several calls, since I sit on the Pittsburgh Water and Sewer Authority. You know, we're doing a disservice to the residents. Some

residents of the Pittsburgh area would like that hearing. So, it's of utmost importance that we submit those names as soon as possible. Thank you.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2529

Report of the Committee on Finance for April 23, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2425

A Resolution entitled, "Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1990 to the same or to other code accounts for the year 1991."

—(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 2426

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2427

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1413 of 1990, effective January 1, 1991 entitled: Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1991, by making certain additions and corrections."

---(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 2428

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1414 of 1990, effective January 1, 1991 entitled: Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions, by making certain additions and corrections." ---(SPONSORED BY MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Mr. Milliones

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2530

Report of the Committee on Public Works for April 23, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2357

A Resolution entitled, "Resolution vacating Semicir Street, Frietag Street and Unnamed Way (First Description) beginning at a point on the Southeasterly corner of Frietag Street and Mairdale Avenue, thence along the southerly line of Frietag Street S 52 13' W a distance of 278.38 ft. to a point, thence crossing Frietag Street N 11 50' W a distance of 44.49 ft. to a point on the northerly line of Frietag Street, thence N 52 13' E a distance of 247.90 ft. thence S 53 11' E a distance of 41.49 ft. to a point at place of beginning, saving and reserving a 6" water line and 15" sewer line located therein."

Which was read.

Also,

Bill No. 2414

A Resolution entitled, "Resolution vacating Attica Street beginning at a point at the north corner of Attica Street and Valonia Street thence southeastwardly 60' to a point, thence

southwestwardly 124' to a point, thence in a west direction crossing Antica Street 60' to a point, thence northwardly 230' to a point, thence northeast 25' to a point to the place of beginning in the 20th Ward, 2nd Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2415

A Resolution entitled, "Resolution granting unto Reese Brothers, Inc., 923 Penn Avenue their successors and assigns the privilege and license to construct, maintain and use at their own cost and expense, an electrical vault in a portion of the sidewalk of Penn Avenue in the 2nd Ward, 6th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2416

A Resolution entitled, "Resolution granting unto H.M. Taylor, 1226 Muriel Street, his successors and assigns the privilege and license to construct, maintain and use at his own cost and expense, a garage entrance on a portion of the sidewalk of S. 13th Street, in the 17th Ward, 3rd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2417

A Resolution entitled, "Resolution accepting the dedication of certain property from Breed Street to the northern property line for the widening of Enon Way in the 17th Ward, 3rd District of the

City of Pittsburgh."

Which was read.

Also,

Bill No. 2411

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for traffic signal installation at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2531

Report of the Committee on Planning, Housing and Development for April 23, 1991 transmitting

sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2418

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the various Redevelopers for the sale of properties in the 11th Ward of the City of Pittsburgh in Redevelopment Area No. 10 (SIDEYARD)."

Which was read.

Also,

Bill No. 2419

A Resolution entitled, "Resolution approving a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Redeveloper for the sale of property for \$100.00 as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 2420

A Resolution entitled, "Resolution approving a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Redeveloper for the sale of property for \$1.00 as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 2421

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDE/REAR YARDS)."

Which was read.

Also,

Bill No. 2422

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire properties in the City of Pittsburgh under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2423

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 27th Ward of the City of Pittsburgh owned by Elmer L.C. Brubach & Alice Brubach, husband and wife, and designated as Block and Lot 76N-219 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2424

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James M. & Judith L. Shanley, (Husband and Wife) for the sale of Block 76N Lot 219, in the Twenty-Seventh Ward of the City of Pittsburgh (REHAB)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 2532

Report of the Committee on Parks and Recreation

for April 23, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2451

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to grant the Highland Park Community Club a license to construct, operate and maintain a creative playground in Highland Park."

Which was read.

Mr. Ricciardi:

I'd like to take this opportunity to congratulate the Highland Park Community Club, the 800 special volunteers, and especially our colleague, Jim Ferlo, for all the work they've done in providing the City of Pittsburgh a Super Playground. Congratulations to all of them.

The Chair:

I'd like to add to that. I know allof us have been involved in neighborhood projects but truly I have never seen one as super as the one in Highland Park.

I also want to compliment my colleague because I know how long and how hard Jim Ferlo and his staff have worked on this project, going back well over a year, back in 1989 into the 1990 budget, in the year of 1990, towards 1991. And this past week he was out there operating a piece of equipment, a Bobcat, carrying materials and giving marching orders to a lot of people and that's one of the reasons why he's horse today.

But, truly, that project is one of the finest

projects I have ever seen in the City of Pittsburgh and I also compliment my colleague and the Highland Park Community Club for doing a great job.

Mr. Regan:

Mr. President, I want to see that union card for driving that heavy equipment.

Mr. Cohen:

I went down there on Wednesday morning to offer moral support and I realized that just as Mr. Ferlo works hard to get votes on Council, it applies to other areas of life too. I went out there to lend my moral support and, before I knew it, I had a couple of knee-high boots on and I was down there working in the dirt with Council President Wagner and he was showing me how to dig ditches with some of the people who worked down in South Carolina on Hurricane Hugo.

Jim, I don't think I have ever seen a more focused community effort than what happened between Wednesday and Sunday where, on Wednesday there was nothing there and by Sunday it was the most terrific playground that I have ever seen and I plan to go out there myself and play on it.

So, congratulations and congratulations to the Highland Park Community Club.

Mr. Ferlo:

Obviously I'd like to say thank you and, obviously, it was a labor of love. In a couple of weeks I'd like to get a large group of people down here who had a lot of input and did a lot of hard work for the last year and a half. But certainly I want to thank all of my colleagues for their support. Right from the beginning it was Council's commitment early on that opened some doors in terms of the fundraising that was done

and I want to thank all of you.

Mr. Millions:

I'd like to congratulate you as well, Jim. I think what's important about it is that it shows what can be done when people work together and it's certainly something I would like to see duplicated across the City.

Mr. Ferlo:

Well, we have a commitment from a philanthopist locally who would like to contribute enough seed money to do at least two or three other playgrounds. I'm not ready to do one any time soon but —

Mr. Millions:

I'm ready.

Mr. Ferlo:

But if there's support, and I know there is from some of the other colleagues here, I had said over a year and a half ago in asking Council to support the initial \$10,000 seed money that maybe if we do this thing right, and it was done right, we could maybe build one in several other important communities around the City regionally located. I'm willing if you're willing.

Mr. Darkins:

Mr. Chairman, I'd like to congratulate Councilman Ferlo. The philosopher said that it's not how big a man is in stature because some of the smallest men do the biggest jobs.

The Chair:

Thank you. It's really a great job and anyone who hasn't been out there to see the finished product, it's actually incredible. I was

out there last night with Councilman Ferlo and it's really a beautiful project.

Mr. Ferlo:

You really have to see it to believe it.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Mr. Milliones

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

I have one brief point for my colleague, Dr. Milliones and also to you as Council President. I raised the issue with all of you on the issue of the Community Development Block Grant additional monies that have been received by the City and I hope that we can come to some discussion this week on that issue.

Mr. Milliones moved to approve the Minutes of Tuesday, April 23, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Milliones moved to excuse Mr. Coyne for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Milliones:

I move to recess this meeting and meet again on Wednesday, May 1, 1991, immediately following the Council's Standing Committee Meeting so that we can vote on the Leasing Authority Bond issue.

Mr. Regan seconded the motion.

And on the motion of **Mr. Milliones**

Council recessed.

Pittsburgh, PA
Wednesday, May 1, 1991

And the time of recess having expired, Council reconvened.

The Chair:

The recessed Legislative Meeting is now reconvened for the purpose of voting finally on the bond issue relating to the Leasing Authority.

Mr. Milliones presented

Bill No. 2541

Report of the Committee on Finance for May 1, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2436

A Resolution entitled, "Resolution authorizing the City to incur lease rental debt in the amount of \$14,000,000.00 by entering into an equipment lease with City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1991, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs relating to that series; approving the form of lease and authorizing execution of the official statement relating to the Authority's Bonds."

Which was read.

Michelle Madoff:

Discussion. I'm going to vote for the bill but I want to go on Record once more as saying that I want to see competitive bids, not negotiated bids. There may be a special reason for this and Mr. Hayllar and I want to chat. But I'll vote for it.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins
Mr. Ferlo

Mr. Regan
Mr. Ricciardi

Michelle Madoff
Mr. Milliones

Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Milliones:

I just have one concern that I think is resolved. As you know, this is May 1st, and it was the promise of Mr. DiNardo way back several months ago that the jail would be moved by May 1st. I understand that that process has started today and that Monday at 8:00 a.m. the residents of the North Side finally will be relieved of the problems associated with the jail being located there.

So, I think it's great and I'm very pleased for the resident of the North Side and for the citizens of this City.

Mr. Regan:

Jake, let me ask you a question. Is that why you got the haircut?

Michelle Madoff moved to excuse Mr. Cohen and Mr. Coyne for absence from the meeting.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milliones**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, May 7, 1991

No. 19

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, May 7, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. DARKINS

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I would like to note that Councilman Darkins was in an automobile accident. It's anticipated that he'll be operated on today and certainly he has our prayers that everything is fine.

Councilman Milliones, you may want to add to that. I know that you have been very —

Mr. Milliones:

No, we don't know anything other than that he probably will have surgery sometime today and we'll await word on his condition.

The Chair:

Thank you.

PRESENTATIONS

Mr. Cohen:

Would Chief Dickinson and the other folks from the Fire Department and Lisa Talleroni come up here, please?

I'm very happy this morning to introduce this proclamation for Lisa Talleroni. As many of you know, we have with us Chief Dickinson and Chief Harper. We have Captain Large from the Fire Department, two arson investigators, one from the Police Department, Mary Perrod, and

Captain Harry Knapp from the Fire Department.
We also have Lisa Talleroni.

Lisa Talleroni is not the head of a community group or a major organization. She's too young to be honored here for a lifetime of service. But what she's here for is because she took an action that makes her really a model citizen. She provided information to the Fire Department which led to the apprehension of a major arsonist. So, I'm very happy this morning to read this resolution.

Mr. Cohen presents

No. 2597 WHEREAS, arson is one of the most difficult crimes to solve for fire investigators; and

WHEREAS, statements and information from the public can have a profound effect on the outcome of arson investigations; and

WHEREAS, Lisa Talleroni of Shadyside provided information to Captain Frank Large at the #8 Engine & Truck Company which helped him investigate and apprehend an arsonist who destroyed over \$1 million of property in 4 separate fires; and

WHEREAS, without the knowledge of Captain Large and Ms. Talleroni's sense of moral responsibility as a law abiding citizen, this arsonist might be at-large today.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Lisa Talleroni for her courage and display of good citizenship by providing information that proved to be crucial to Captain Frank Large and arson officials in their capture of a dangerous arsonist.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Lisa, I just wanted to commend you personally and anybody else out there who is listening to this should take heart and realize that if you see something suspicious, let the Fire Department or the Police Department know about it because this information was seemingly innocent information about a person who was sitting on her porch and it led, as I said, to the capture of a very important arsonist who set fires all over the state. So, I'd like to commend you personally, Lisa.

We have Fire Chief Dickinson here who could say a few words, and then Captain Large, if you could tell a little bit about the details of the case, I'd appreciate it.

Captain Dickinson:

As Captain Large told me in a memo a few months ago the rest of the story, there is good news every once in a while. We deal with a lot of issues that seem difficult at the time and, as we know in our business, arson is so difficult.

This is the system that I work with all the time and the key player that we don't know when will come forward are people like Lisa who live in our City. And why she's so important today is because, feeling as a good citizen should, she came forward in the middle of the night when all the offices were closed and an engine company I believe with Captain Large on was parked at a relatively minor fire, it wasn't very serious, concerning to people who lived in the area, but more than one that night.

With Lisa's information, Captain Large turned that information over to the folks directly

behind him in our arson division who is commanded by Assistant Chief Harper, and through a lot of hard work and diligence was not only able to provide information which ultimately led to the arrest with the York, Pennsylvania officials.

I think what was shocking to us was that the gentleman that we believed was the arsonist set one fire in York over a million dollar fire in a Christian school. Innocent small fires that we learn in our business usually lead to more significant fires. The good news for us is that the damage wasn't in our City; the unhappy news is that it was in some other city.

I'd like Captain Large to explain the details of what occurred that night.

Captain Large:

I wish I had a nickel for every trash fire that I have responded to, but certainly this resolution will take care of all those nickels because it was strange in the sense that someone came forward.

The first thing that Lisa said to me was, "Was this fire an arson?". Certainly that raised some hackles on my neck because people just simply don't do that when you're at a typical trash fire.

The second thing she asked me was if it was common for someone who set fires to stick around and kind of watch what was happening.

So I began to ask her questions about what she saw and who she saw and those kinds of things. She gave me a terrific description of a gentleman that she saw on her front porch as she got home, and she noticed there was a problem when the fire trucks arrived.

It was a result of that that four hours later

when we were in another small fire in the neighborhood that the person that she described to me at 3:30 in the morning came sauntering down the street. Immediately I began to follow him and called for the Police to come and they picked him up and questioned him.

But the important thing was that someone from the public came to us and said, "We saw something occur and we think you need to know about it." There was no way that four hours later I would have picked this guy out had it not been for her giving me the description and telling me about his unusual behavior.

It was some months later that we found out that he had been picked up in York, Pennsylvania for a string of arsons there.

It just makes me feel good to know that someone out there in the public, a citizen, feels strongly enough to come forward with information and it's unusual for that to happen. I wish it was a more common occurrence and maybe a lot less fires would start in this City.

Mr. Cohen:

You can see when an arsonist is finally captured, every piece along that chain has to work and everybody has to fulfill their responsibility. So, I want to thank everybody here, Captain Large and the arson investigators, and the two Chiefs, but the person who started this chain going was Lisa Talleroni. Lisa, congratulations and I hope you can say a few words here.

Ms. Talleroni:

When you have been a student of human behavior as long as I have, this is the kind of thing that you savor. I knew that this gentleman wasn't just someone hanging out on my porch; I knew that there was more to it and I'm glad that I

followed it up.

I can only hope that for those to whom I tell this story, if given the opportunity, they would do the same. Thank you.

Mr. Cohen presents

No. 2598 WHEREAS, Friendship Development Associates, Inc. is a non-profit development corporation working to improve the quality of life in the Friendship neighborhood in the 8th Ward of the City of Pittsburgh; and

WHEREAS, Friendship Development Associates, Inc. has renovated 301 Roup Avenue, a former eyesore in the center of the neighborhood; and

WHEREAS, Friendship Development Associates, Inc. is the owner of 400 Roup Avenue, a vacant lot that was donated by the Association by adjacent car dealerships.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the Friendship Development Associates, Inc. a civic organization within the context of the Pennsylvania Small Games of Chance legislation.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne:

With me today is Alberta Eldridge who runs the Hazelwood-Greenfield Meals On Wheels Program. And joining her is Mrs. Lockerton, Mrs. Chapman, and Alberta's husband.

Mr. Coyne presents

No. 2599 WHEREAS, Meals On Wheels is a non-profit organization that provides well-balanced meals to elderly, sick and needy persons; and

WHEREAS, some twenty years ago, Alberta Eldridge and 8 other men and women recognized the need to establish a Meals On Wheels Program in the Hazelwood-Greenfield area; and

WHEREAS, though there were only 3 sites throughout the Pittsburgh area at that time, with the help of the Lutheran Service Society, the Hazelwood-Greenfield Meals On Wheels Program was established; and

WHEREAS, Alberta has been a devoted employee for over 20 years, serving as a cook and program coordinator, contributing her time and energy to this worthwhile program; and

WHEREAS, Alberta is the beloved wife of Dudley Eldridge, and has been married for over 15 years.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the tireless efforts of Alberta Eldridge through her work with the Hazelwood-Greenfield Meals On Wheels Program, and hereby proclaims Tuesday, April 30, 1991 as "Alberta Eldridge Day" in the City of Pittsburgh.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne:

It gives me great pleasure to introduce Alberta. Alberta, as I read in the proclamation, has been the driving force behind the Hazelwood-Greenfield Meals On Wheels Program and is about to retire from that endeavor to pursue more volunteer efforts. Talking to her this morning you would think that someone retiring is going to take it easy, but she already has plans to continue her volunteer activities at the Kane Regional Hospitals and the Lemington Home.

I'd like to introduce Alberta to say a few words.

Mrs. Eldridge:

Good morning. Thank you, Councilman Coyne. I'm very surprised to receive this proclamation and I want to say that I enjoyed all 20 years of my work. I have worked with some of the greatest Christian women in the City of Pittsburgh and also with two fine Catholic Priests.

I want to say that Meals On Wheels is one of the greatest programs in the City of Pittsburgh. We need more volunteers. We need more money. And if people would go out and visit the ones that are in their homes receiving these meals, it would be greatly appreciated by all who receive them.

Again, I want to say thank you all.

Mr. Coyne presents

No. 2600 WHEREAS, the Pittsburgh Symphony Orchestra, founded in Pittsburgh 94 years ago, has long been recognized as one of the world's greatest orchestras; and

WHEREAS, the "Symphony Salute", a free day of activities to thank the people of

Pittsburgh for their support, will take place on May 4, 1991, and will close with a free concert at Heinz Hall; and

WHEREAS, the Pittsburgh Symphony Orchestra does more community service than any other arts organization in Pittsburgh, including its "School-Time Concerts" for area school children, its free concerts at Point State Park, Hartwood Acres and South Park and its operation of Heinz Hall, a treasured community asset.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Pittsburgh Symphony Orchestra as a civic organization truly committed to the people of Pittsburgh and commends the Pittsburgh Symphony Orchestra on their annual "Symphony Salute".

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo for Mr. Darkins presents

No. 2601 WHEREAS, on May 11 and 12, 1991, Mother's Day Weekend, the Health Education Center's Clean Lung Project will sponsor a "Quit For Your Mother" weekend; and

WHEREAS, the Health Education Center is an affiliate of Blue Cross of Western Pennsylvania and a beneficiary of the United Way of Allegheny County; and

WHEREAS, on Saturday, May 11th, the Clean Lung Committee will kick off the weekend with an Information Fair at Allegheny Center Mall from 12:00 p.m. to 3:00 p.m., distributing quit smoking materials and smoke-free survival kits, along with displaying anti-smoking

messes; and

WHEREAS, over 125 churches will declare Mother's Day, Sunday, May 12th, as "Smoke-Free Sunday", encouraging their congregation to complete a "Quit Smoking For Your Mother" pledge card and enroll in a smoking cessation program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh respects Project Coordinator Rhonda Galloway and the Clean Lung Project Task Force Committee's efforts to reduce smoking in the Pittsburgh area and further encourages the Health Education Center to continue its mission to educate youth and adults about the health hazards of tobacco use; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares May 11 and 12, 1991 as "Quit For Your Mother Weekend" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo and Mr. Cohen present

No.2602 WHEREAS, the equality of employment opportunity is a fundamental principle of our legal system and a right guaranteed by federal and Pennsylvania law; and

WHEREAS, in recent decisions, the U.S. Supreme Court has seriously limited the scope and effectiveness of civil rights protections, particularly in the area of employment discrimination; and

WHEREAS, the Civil Rights Act of 1991 has been re-introduced in the United States

Congress to legislatively restore civil rights protections guaranteed to citizens before the Supreme Court's rulings and to provide more effective deterrence and adequate compensation for victims of discrimination; and

WHEREAS, the Civil Rights Act of 1991 will help to eliminate existing barriers to equal employment opportunity; and

WHEREAS, the Pittsburgh Campaign for Civil Rights was founded by local leaders of civil rights and civil liberties organizations in 1990 and has been working toward the passage of the Civil Rights Act of 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, the City whose own Preamble to its Home Rule Charter guarantees equal protection for all citizens, endorses and supports the Civil Rights Act of 1991, calls for its immediate passage in the Congress of the United States, and commends the Pittsburgh Campaign for Civil Rights in its efforts toward these goals.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones and Mr. Darkins present

No. 2603 WHEREAS, the Conference on Trade and Investment with the countries of the Southern African Development Coordination Conference will be held in Pittsburgh, PA May 7 and 8, 1991; and

WHEREAS, the Southern African Development Coordination Conference which includes the countries of Botswana, Lesotho, Malawi, Mozambique, Tanzania, Zambia, Zimbabwe, Namibia and Swaziland is an

association of the majority-rule states of Southern Africa; and

WHEREAS, the purposes of the Conference on Trade and Investment with these particular countries are to promote closer relationships with Pennsylvania organizations and individuals as well as develop relationships with Pennsylvania organizations and individuals as well as develop relationships between senior officials from the Southern African countries and African-American business owners and African countries and the Commonwealth of Pennsylvania; and

WHEREAS, the first day of the Conference will be held at Duquesne University and will focus on the economic and business climate of Southern African countries and the Commonwealth of Pennsylvania; and

WHEREAS, the second day of the Conference will be held at the Bidwell Cultural Center to discuss strategies for support of economic and business development as well as trade and investment.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and supports the efforts of the Conference on Trade and Investment with the countries of the Southern African Development Coordination Conference in their attempt to accelerate economic growth through the coordination of development policies and to raise the standards of living for the people of Southern Africa and to finally reduce the economic dependence of the member states on South Africa; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby recognizes May 7 and 8, 1991 as "Southern African Development Coordination Conference Days" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

We have two final resolutions that I would like to present.

For the first resolution, I would like to ask Ellen Yarnell to please step forward to receive this. It's an honor to have Ellen with us today.

The Chair presents

No. 2604 WHEREAS, today's society is rapidly changing, with constant advances in science, technology and the way we live; and

WHEREAS, Pittsburgh continues to seek and develop innovative technologies in order to remain competitive with the rest of the nation and world; and

WHEREAS, institutions such as the University of Pittsburgh, Carnegie Mellon University, Pittsburgh High Technology Council, Pennsylvania Small Business and countless Pittsburgh area hospitals and corporations are committed to the advancement of technology through innovation; and

WHEREAS, Pittsburgh is hosting INPEX VII, the largest invention and new product show in the United States, and The Business Show, the area's leading business trade show, from May 16-18, 1991 at the Expo Mart in Monroeville; and

WHEREAS, INPEX VII and The Business Show are expected to have 5,000 attendees and in excess of 600 exhibitions,

including delegations from 16 foreign countries; and

WHEREAS, INPEX VII and The Business Show are certain to attract domestic and international attention to one of America's most prominent technology and business regions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the week of May 12, 1991 to be "Innovation Week" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I'd like to introduce Ellen Yarnell again. She is the show manager. She has done a fantastic job bringing this event to the City of Pittsburgh and truly it is a world-wide event. It may not be held in the City of Pittsburgh, it's held in Monroeville, but certainly the City of Pittsburgh benefits due to the many attendees that stay at Pittsburgh hotels and are exposed to the City of Pittsburgh, many of which for the first time, and hopefully come back in the future. This event is held annually in the City of Pittsburgh.

To sum up, I'd like to say first off that Ellen's office is in Downtown Pittsburgh at 701 Smithfield Street. But when it comes to a convention of this type, I always think of one of my favorite quotes, which is, "Small minds talk about people; average minds talk about events; and great minds talk about ideas". That's really what this event is all about; new ideas. And certainly, if the United States is going to stay competitive with the world, truly innovation through technology and new ideas is how we will

accomplish that.

It's an honor to have this event here every year in the City of Pittsburgh and, Ellen, it's an honor to have you here today in Council to receive the resolution. Please elaborate a little more on the event.

Ms. Yarnell:

INPEX, a few years ago, was just a small invention, new product show of 82 booths. Three years ago we set our sights in bringing the international community to the City of Pittsburgh and to this region. Yes, this exposition is held at the Monroeville Expo Mart, not to say that it won't ever be held in Downtown.

We are boasting, at this point, Jack, we have moved up to 20 countries. We have more than 100 exhibits coming from China alone. China came to our exhibition last year simply to view what we've done here and we're proud to say that they liked what they saw. They did stay in Downtown hotels. Just because this exposition is held in Monroeville doesn't mean that the don't come in to the City of Pittsburgh. In fact, one group from Sweden alone viewed Carnegie Mellon, came Downtown, visited some of Oxford Development's properties. So, it does help the City of Pittsburgh.

In conjunction with the invention show, we have formulated a show called The Business Show. The highlight of The Business Show will be exploiting, so to speak, what is happening in business and industry in this region.

So, I would invite all of you to come out and see what we're doing May 16th, 17th and 18th, and it's people like Councilman Wagner that make me feel proud that I am involved with the City of Pittsburgh because your recognition is what we're looking for and I thank you very much for that. Thank you.

The Chair:

The next and final resolution, I'd like to ask Jerred Metz to please step forward to receive it and whoever Jerred has with him, and he could introduce all those people when he speaks.

It's an honor to present this resolution. It, again, is somewhat regional in nature and it refers to the Health Agency Coalition.

The Chair presents

No. 2605 WHEREAS, the Health Agency Coalition is a group of seven small, yet vital health care agencies joined together under a non-profit umbrella in order to make the best use of their resources; and

WHEREAS, the Member organizations of the Health Agency Coalition are: the Amyotrophic Lateral Sclerosis Foundation, the Alzheimer's Association, the Cancer Guidance Institute, the Epilepsy Foundation of Western Pennsylvania, the Intestinal Disease Foundation, the Lupus Foundation of America, and the Self Help Group Network; and

WHEREAS, the Health Agency Coalition came into being in February, 1991 in fulfillment of a concept developed in November, 1988, with the Member Agencies applying their collective experience and expertise in creating and integrating services, enabling persons with chronic health conditions to live lives of independence, productivity and satisfaction; and

WHEREAS, the Health Agency Coalition is supported by a three-year grant from the Vira Heinz Foundation and served approximately 12,000 people from Western Pennsylvania in the first year of the Coalition's existence; and

WHEREAS, in recognition of completing its facilities at the Vocational Rehabilitation Center of Allegheny County at 1323 Forbes Avenue, the Coalition is holding an open house on May 9, 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the Health Agency Coalition for its unique and model concept of serving those with chronic health problems and declares May 9, 1991 as "Health Agency Coalition Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

I want to commend and congratulate all of you. Jerred Metz is the coordinator of this agency and, again, I'd like to state that this is an extremely unique idea to bring all these groups together under one house to better serve the public. It reduces cost. It also increases communication amongst them so that we can provide, as a city, as a county, as a region, better health services. They are all very unique individually, but they are even more unique as a group and how they serve the public.

I'd like to introduce Jerred Metz, and I'm sure Jerred would like to say a few words and introduce others that are here.

Dr. Metz:

Good morning and thank you very much for the resolution.

I'd like to introduce the Council to

representatives of six of the seven agencies that make up the Health Agency Coalition: Carolyn Russ with Intestinal Disease Foundation; Rick Boyle, Staff Member of Epilepsy Foundation; Estelle Weissburg from Cancer Guidance Institute, she's the Executive Director; Betty Hepner, Coordinator of the Self Help Group Network; Pat Stewart who is Secretary of the Board of the Lupus Foundation; and Ellen Berliner who is the President of the Board of Directors of the Alzheimer's Association.

I thank you for the resolution that was just passed. We are grateful for your recognizing the work that is undertaken in the Health Agency Coalition.

We want you to know that the resources available to Pittsburgh, Allegheny County and Western Pennsylvania are an important part of the health care continuum providing counseling, providing support groups to give support and assistance in mutual aid to those whose lives are affected by the diseases and disorder that we focus on.

But beyond that, the Health Agency Coalition represents a new way of doing the business that we do. Since the agencies have so much in common from the point of view of the approach to serving those in need, we are better able to serve by having each other as colleagues. Thus, new ideas and workable solutions are served by all the agencies so that one good idea can be taken up by seven agencies, can show up in seven places instead of just one.

We are also able to have the funding available to us go much farther so that, in many cases, what would be spent to serve one actually ends up serving agencies.

The citizens of the area we serve are ultimately the ones who benefit from this way of working since seven voices speaking as one

reach out so much farther.

On Thursday we will celebrate the work and success of the Coalition and we will have you in our thoughts on that day as part of the support system that the Coalition depends on in order to do its work.

Once again, thank you for the resolution and we look forward to working with you in the future.

Mr. Cohen presented

No. 2542 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Various Senior Citizen Centers and Recreation Centers, including but not limited to the Hazelwood Car Barn Bocce Court in Council District No. 5, at a cost not to exceed \$38,000.00, chargeable to and payable from Code Account EC 86-66.

Also,

No. 2543 Resolution amending Resolution No. 262, eff. March 21, 1990, entitled "Providing for an Agreement or Agreements with a consultant or consultants, for Engineering Services in connection with the Design of Walbridge Street from Main Street to Herschel Street, in Council District #2; and providing for the payment of the costs thereof," by amending the previous funding sources for use of the 1989 Project Fund and by amending the total project allocation from a range of \$100,000.00 to \$200,000.00.

Also,

No. 2544 Resolution providing for a Cooperation Agreement or Agreements with Allegheny County for the City's share of the costs for improvements to City-owned facilities located within and being part of the County-

owned Sixth, Seventh, and Ninth Street Bridges at a cost not to exceed \$225,000.00, chargeable to and payable from Code Account EC 91-499.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Ferlo for Mr. Darkins presented

No. 2545 Resolution granting unto Janice Bobak, 201 Bon Air Avenue, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a fence on a portion of the sidewalks of Bon Air and Conniston Avenues in the 18th Ward, 4th District of the City of Pittsburgh. This request is made by Janice Bobak so that the fence will allow a cleaner maintenance of her property.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2546 Resolution approving a Conditional Use Exception under Section 993.01(a)(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Shadyside Health, Education & Research Corporation/Shadyside Hospital for authorization to construct and use a medical helistop on the roof of the Main Tower of Shadyside Hospital, located at 5230 CENTRE AVENUE, and construct a fully enclosed corridor from the landing area to the existing elevator penthouse, on property zoned "R5" Multiple-Family Residence District, 7th Ward. (Council District #8)

Also,

No. 2547 Resolution approving a Conditional Use Exception under Section 993.01(a)(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University

of Pittsburgh, Medical Center, agent on behalf of the Dept. of General Services of the Commonwealth of Pennsylvania for authorization to construct a 200,000 square feet, ten-story medical research facility atop the existing VICTORIA STREET PARKING GARAGE on the northerly side of VICTORIA STREET at DARRAGH STREET on property zoned "I-C" Institutional-Civic District, 4th Ward. (Council District #8)

Also,

No. 2548 Resolution amending Res. No. 157, eff. March 8, 1991, entitled "Providing for an Agreement or Agreements with the Hill District Civic Association for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$3,000.00", so as to change the group to be responsible for administering the Contract to the Hill House Association. Chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 2549 Resolution providing for an Agreement or Agreements with Arlington Heights Resident Council for administrative/operating support, in an amount not to exceed \$5,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Arlington Heights Residents Council".

Also,

No. 2550 Resolution providing for an Agreement or Agreements with the Beltzhoover Neighborhood Council for administrative assistance in operating its services in an amount not to exceed \$8,422.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Beltzhoover Neighborhood Council".

Also,

No. 2551 Resolution providing for an Agreement or Agreements with Bethlehem Lutheran Church for financial operating assistance in an amount not to exceed \$8,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Bethlehem Lutheran Church".

Also,

No. 2552 Resolution providing for an Agreement or Agreements with the Bidwell Education, Music and Recreation Center for the rehabilitation of their facility for use as a multi-purpose center, at a cost not to exceed \$18,888.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Bidwell Education, Music and Recreation Center".

Also,

No. 2553 Resolution providing for an Agreement or Agreements with the Brashear Association for administrative-operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$7,990.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Brashear Association".

Also,

No. 2554 Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crimes for administrative assistance at a cost not to exceed \$2,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Center for Victims of Violent Crimes".

Also,

No. 2555 Resolution providing for an

Agreement or Agreements with Council Care for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$3,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Council Care".

Also,

No. 2556 Resolution providing for an Agreement or Agreements with the East Allegheny Revitalization Corporation for administrative support in an amount not to exceed \$7,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "East Allegheny Revitalization Corporation".

Also,

No. 2557 Resolution providing for an Agreement or Agreements with Friendship Development Associates, Inc., for administrative/operating support of their "Housing Development Associates, Inc., for administrative/operating support of their "Housing Information Program" in an amount not to exceed \$5,888.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Friendship Development Associates, Inc..".

Also,

No. 2558 Resolution providing for an Agreement or Agreements with Golden Triangle Radio Information Center for administrative support in operating radio programs serving elderly, homebound elderly, unemployed, and disabled in an amount not to exceed \$5,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Golden Triangle Radio Information Center".

Also,

No. 2559 Resolution providing for an Agreement or Agreements with the Greenfield Organization for administrative support in operating programs serving elderly and low income residents in an amount not to exceed \$9,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Greenfield Organization".

Also,

No. 2560 Resolution providing for an Agreement or Agreements with the Hill Community Development Corporation for acquisition and architectural assistance of a building to be used in their development and revitalization programs at a cost not to exceed \$15,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Hill Community Development Corporation".

Also,

No. 2561 Resolution providing for an Agreement or Agreements with the Hill District Federal Credit Union for administrative/operating assistance at a cost not to exceed \$5,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Hill District Federal Credit Union".

Also,

No. 2562 Resolution providing for an Agreement or Agreements with Just Harvest for operating assistance in running their "Community Childhood Hunger Identification Project" at a cost not to exceed \$13,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Just Harvest".

Also,

No. 2563 Resolution providing for an Agreement or Agreements with Larimer-

Lincoln-Lemington-Belmar Citizens Council for administrative/operating support of their "Housing Information Program" in an amount not to exceed \$10,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Larimer-Lincoln-Lemington-Belmar Citizens Council".

Also,

No. 2564 Resolution providing for an Agreement or Agreements with Miryam's to provide administrative assistance with their services for chronically mentally ill in an amount not to exceed \$1,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Miryam's".

Also,

No. 2565 Resolution providing for an Agreement or Agreements with the Neighborhood Housing Services to provide administrative/operating support to the Agency in an amount not to exceed \$5,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Neighborhood Housing Services".

Also,

No. 2566 Resolution providing for an Agreement or Agreements with PA Association for the Blind in an amount not to exceed \$3,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "PA Association for the Blind".

Also,

No. 2567 Resolution providing for an Agreement or Agreements with the Perry Hilltop Citizens Council for assistance in carrying out their "Lot Clean-up" program in an amount not to exceed \$8,416.00, chargeable to and payable

from the 1991 CDBG Program, City Council, "Perry Hilltop Citizens Council".

Also,

No. 2568 Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape, an organization that provides counseling and information for women experiencing domestic violence problems, in an amount not to exceed \$3,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Pittsburgh Action Against Rape".

Also,

No. 2569 Resolution providing for an Agreement or Agreements with the Pittsburgh Recovery Center for administrative/program support in an amount not to exceed \$10,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Pittsburgh Recovery Center".

Also,

No. 2570 Resolution providing for an Agreement or Agreements with the Polish Hill Civic Association for administrative/operating support in an amount not to exceed \$11,288.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Polish Hill Civic Association".

Also,

No. 2571 Resolution providing for an Agreement or Agreements with the Salvation Army - North Side Corps to provide administrative/operating support to the Agency in an amount not to exceed \$1,472.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Salvation Army - North Side Corps".

Also,

No. 2572 Resolution providing for an Agreement or Agreements with the South Oakland Citizens Council for administrative/operating support of their "Community Print Program" at a cost not to exceed \$3,110.00, chargeable to and payable from the "South Oakland Citizens Council".

Also,

No. 2573 Resolution providing for an Agreement or Agreements with Southwest Pittsburgh CDC for administrative/operating support of their "Social Services Program" in an amount not to exceed \$20,653.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Southwest Pittsburgh CDC".

Also,

No. 2574 Resolution providing for an Agreement or Agreements with Steel Valley Authority for administrative/operating support in an amount not to exceed \$5,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Steel Valley Authority".

Also,

No. 2575 Resolution providing for an Agreement or Agreements with the St. Clair Athletic Association for rehabilitation of their Senior Center in an amount not to exceed \$9,478.00, chargeable to and payable from the 1991 CDBG Program, City Council, "St. Clair Athletic Association".

Also,

No. 2576 Resolution providing for an Agreement or Agreements with the Vietnam Veterans' Leadership Program for support of their counseling services to homeless veterans at

a cost not to exceed \$17,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Vietnam Veterans' Leadership Program".

Also,

No. 2577 Resolution providing for an Agreement or Agreements with Washington Heights Ecumenical Food Bank for administrative assistance in operating their food distribution program in an amount not to exceed \$5,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Washington Heights Ecumenical Food Bank".

Also,

No. 2578 Resolution providing for an Agreement or Agreements with the Westside CDC for site improvements, construction and administrative/operating support of their redevelopment projects at a cost not to exceed \$20,623.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Westside CDC".

Also,

No. 2579 Resolution providing for an Agreement or Agreements with YMCA/Garfield Branch for the operation of their food pantry, feeding and housing counseling programs for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$2,500.00, chargeable to and payable from the 1991 CDBG Program, City Council, "YMCA/Garfield Branch".

Also,

No. 2580 Resolution providing for an Agreement or Agreements with Youthbuild Pittsburgh for administrative and/or operating assistance in running a low-moderate income youth-oriented Housing Rehabilitation program,

at a cost not to exceed \$33,888.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Youthbuild Pittsburgh".

Also,

No. 2581 Resolution authorizing a Cooperation Agreement or Agreements with the URA of Pgh. providing for the design and construction of streetscape improvements in the Penn-Liberty Cultural District at a cost not to exceed \$230,000.00, chargeable to and payable from Penn-Liberty Cultural District Street Improvements. (Council District No. 6)

Also,

No. 2582 Resolution authorizing the URA of Pgh. to use the balance of funds remaining in the Broadhead Fording Redevelopment Project Account for the Westside Community Development Corporation's UJAMAA Convenience Center Project. The balance of funds remaining in the Broadhead Fording Redevelopment Project account is \$28,155.81 as of December 31, 1990, together with interest earned since December 31, 1990. (Council District No. 6)

Also,

No. 2583 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Lawrenceville Development Corporation for the sale of Block 49N Lots 127, 128 & 129, for the sum of \$1,500.00, in the 6th Ward of the City of Pittsburgh. The redeveloper owns adjacent vacant lots and intends to purchase these three lots to assemble a site for residential development. The three lots contain approx. 4,500 square feet of land and are located at 3448 & 3450 Penn Avenue and 3450 Spring Way. The redeveloper plans to construct ten townhouse units on the assembled site. The redeveloper is a

Pennsylvania non-profit corporation with an office at 10 43rd Street, Pgh., PA 15201. The officers include: Jeff Edwards, President; Dick Schneider, Vice-President; Joe Paski, Vice-President; George Pendro, Treasurer; Beth Chambers Weber, Secretary; and Nancy Noska, Executive Director. (Council District No. 7)

Also,

No. 2584 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Todd Meyer for the sale of Block 23J Lot 320 in the 22nd Ward of the City of Pittsburgh for the sum of \$2,000.00. The redeveloper intends to rehabilitate the existing residential structure on this lot for use as three apartment units. The lot is located at 1227 Buena Vista Street and contains approx. 1,462 square feet. The redeveloper's address is 911 LaClair Street, Pgh., PA 15218. (Council District No. 6)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 2585 Resolution providing for the issuance of a warrant in favor of WAMO FM/AM, in the amount of \$5,300.00 in payment for radio advertisements furnished for the benefit of the City in connection with the EMT/Paramedic Training Program, chargeable to and payable from Code Account 100, Misc. Services, Dept. of Personnel & Civil Service Commission.

Also,

No. 2586 Resolution providing for conveyance by the City of Pittsburgh of certain properties, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and

Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2587 Resolution providing for the issuance of a \$870.00 warrant in favor of Theodore R. and Beatrice Vasser, Jr. in settlement of claim for sidewalk damage at 6956 Thomas Boulevard, payable from Code Account No. 46, Judgments.

Also,

No. 2588 Resolution Repealing Res. No. 1088, Item G, eff. October 25, 1990, which authorized the sale of a vacant lot, 30' x avg. 134.18' x 34.86' ft., known as 1907 Cagwin Street, 19th Ward, Block 35 K, Lot 22, to Pamela H. Harris, for the sum of \$350.00. The reason for the above repealing resolution is that to continue with this sale would provide a financial hardship to the prospective purchase.

Also,

No. 2589 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 2590 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase four (4) Haenni-Loadometer, WL 101-Wheel Load Weigher Scale at a cost not to exceed \$14,000.00, chargeable to and payable from Code Account 1450, Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 2591 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., 6927 Perrysville Avenue, Pgh., PA 15202-1825, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of May 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, District No. 3, City Council.
—(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 2592

Report of the Committee on Finance for May 1, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2441

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants totalling Eleven Thousand, Two Hundred and Ninety-Nine (\$11,299.45) Dollars and Forty-Five Center, for payment, without previous authority of law, to Michael Facchiano Contracting, Inc., Michael Facciano, Principal, for various services not covered under contract performed during emergency concrete and street restoration, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2442

A Resolution entitled, "Resolution providing for the transfer of funds totalling Five Thousand (\$5,000) Dollars from Code Account 1926, Index Code 192609, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1991, Index Code 199109, Premium Pay, Engineering Division, Department of Water."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2445

A Resolution entitled, "Resolution providing for the issuance of warrants to William Guy Sharra in the amount of \$475,000.00; Stephen Mollner in the amount of \$17,500.00 and Reyna Barker in the amount of \$7,500.00 in full settlement of

claims for personal injuries, and providing for the payment thereof."

Which was read.

Mr. Cohen:

I would like my remarks on Bill No. 2445 brought forward for the Record, please.

The Chair:

I would like my remarks brought forward also.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. COHEN AND WAGNER'S COMMENTS ON BILL NO. 2445, WEDNESDAY, MAY 1, 1991)

Mr. Cohen:

I think Chief Dickinson is here. I have a question for you on this.

Chief, this as you know was a tragic case and I think we should pay this amount. It involved a fire truck that hit a car that was going through an intersection. My question for you is, what the City's policy is about emergency vehicles going through intersections, how that's enforced and a kind of a follow-up as to whether we have looked into a radar light mechanism that I think is used in other cities, Erie has it I know that, where the operator of the emergency vehicle could override the traffic light so as to change the light to green while the vehicle is going through it. I don't know how well that has worked in other cities but I know other cities have used that. Do you know whether Pittsburgh has looked into that?

Chf. Dickinson:

Yes. I have worked over the past year and one-half with Engineering and Construction through Director Cannon's approval and I'm looking at a system called Opticom which is what you're describing. The city of Erie has it. It's an older system, but I think that's a trade name and I'm not sure Erie has that system. But it's a system of photoelectric and high intensity lamps that control traffic signals so that emergency apparatus always have a green light to proceed through whichever direction they're coming from. Obviously that's expensive.

The proposal over two years ago to the City by Opticom was something in the neighborhood I believe of \$5 million plus just to do what we would call the central business district. Obviously the money wasn't budgeted for that. It's something that we'd love to have.

Right now we're working with Engineering and Construction on a proposal with a federal grant that would begin to provide that a key parts main access routes that we use consistently when we come into the central business district responding to emergencies of all types. That would not only include the Fire Bureau but also could be added to the EMS Bureau's Paramedic Units, ambulances and also to police cars if that was something we wanted to expand to.

Mr. Cohen:

How far along are they on that? In a case like this I think puts it really into perspective where we're paying out

\$500,000.00 and if it weren't for a statutory liability limit we'd be paying out much more. How far along are we in looking at that and how close to a pilot project?

Chf. Dickinson:

I think the best thing to do -- I would have to step aside and Director Sciulli from Engineering and Construction could talk on that. Let me tell you this though. We've already provided to Engineering and Construction a market plot plan of the central business district of intersections that if we were able to do that, we being the City, of intersections that we would like to have controlled, so it's well past the discussion stage and into the serious part of planning stage as to the status of that.

Now, your question on the policy of the Fire Bureau in the Public Safety Department for that matter. We take our direction from the State Motor Vehicle Code. I don't know if you have that with you and I certainly don't want to interpret it as a lawyer or an attorney, but what it simply means is that when emergency apparatus either fire or police, but let me specify fire, enters a controlled intersection, controlled being either a stop sign or a traffic signal, it is the responding apparatus' responsibility to have lights and sirens working and not working at a relatively low sound level but at the highest sound level that we can operate them at. But also enter under a controlled speed. Now it doesn't give a definitive statement of what controlled speed is but a safe speed that if the public isn't forewarned, if the public doesn't hear us that we have time to stop. It's that simple language that provides the onus on we as responders that we have a right to enter those intersections but we also have an obligation to the public not harm them.

I would only add, this is devastating. We knew the instant that this occurred that this would be a long process.

Mr. Cohen:

I want to caution you here a little bit, Chief because I don't want to get into the details of this case because of litigation but I agree with you.

Chf. Dickinson:

I understand, but the only other comment I want to make is that one of the hardest things to do as an Administrator is to address things after they occur.

There are a couple things I can share with Council this morning. For the past several years each and every fire employee who comes to the training division when they are hired as a recruit, because they begin to drive very soon after they leave

group training, have received formal driver training education. Not only in the written form but review of the Motor Vehicle Code, what that means to them personally, what it means to the City as they are a liable responsibility and in addition to that are practicing that in their training. And also when they go the field that's a responsibility that they carry with them. We have written rules and regulations that describe that, what their drivers' responsibilities are. Now we're looking at a very formal training program, perhaps after the fact and that's tragic also but reinforcing that throughout the Bureau which will occur in the first week of June.

Mr. Cohen:

Okay, is that training program going to go into effect at that time?

Chf. Dickinson:

Absolutely.

Mr. Cohen:

Okay. That makes sense and I'd like to see that happen and I would also like to pursue with Alex Sciulli the idea of getting these radar lights. I think they work fairly well actually.

Chf. Dickinson:

They work excellent.

Mr. Cohen:

And I realize it's expensive but given that we're spending one-half million dollars right here, I think it might be worth the cost. Thank you, Chief.

Michelle Madoff:

I echo the sentiments of my colleague and I would want to add one little thing. Just yesterday someone came to see me about an episode where someone was hit because they couldn't see them coming up the street and all we needed was a sign. I would also like to coordinate just getting some sign somewhere and the person was told they couldn't get the sign because it was "through traffic" which is nonsense. I would like to talk about that kind of thing at another time but work it into the equation.

Mr. Wagner:

Chief, was this a fire or false alarm?

Chf. Dickinson:

I can't recall Councilman. For some reason I want to say that it was a relatively minor fire but I know it wasn't a significant fire.

Mr. Wagner:

Would you please find out the details for me? Has that been discussed as part of the case?

Chf. Dickinson:

Yes, I believe so.

Mr. Wagner:

Does Mr. Specter know that or Ms. Conturo? Do you know the answer to that question?

Ms. Conturo:

We'll check it for you.

Mr. Wagner:

How fast was the vehicle going through the intersection?

Chf. Dickinson:

I don't have the report in front of me but I believe it was somewhere between 40 to 50 miles an hour.

Mr. Wagner:

Do you know that is a blind intersection?

Chf. Dickinson:

Yes, I do.

Mr. Wagner:

How many people were injured as a result of this accident?

Chf. Dickinson:

The firefighters responding were not injured other than minor bumps and bruises. The three people in the private car, all three were seriously injured, one critical.

Mr. Wagner:

If it wasn't for the state law, the three were critically injured in the car.

Chf. Dickinson:

It's two critically and one was serious I believe but I wouldn't quibble over semantics. They were all serious.

Mr. Wagner:

Those people have permanent disabilities for life as a result of this accident.

Chf. Dickinson:

That is my understanding.

Mr. Wagner:

That is the reason for the high settlement that Council is asked to approved today.

Ms. Conturo:

The extension of the injuries are one consideration for the settlement; that's right.

Mr. Wagner:

Potentially how much could this have cause cost the taxpayers of the City of Pittsburgh if in fact there was not state law having a limit on the amount of the settlement?

Ms. Conturo:

That's hard to say. That would have been a jury question. As you see from reading the notes there in front of you, it did go to the jury but only on the question of the allocation among the three three plaintiffs, so they never did decide the actual damages.

Mr. Wagner:

We could assume that it could be double, triple, quadruple. It's unlimited.

Ms. Conturo:

It could be anything.

Mr. Wagner:

Getting back the policy, Chief, what was done as a result of this situation to correct or prevent any recurrences?

Chf. Dickinson:

As far as changing any existing rules and regulations?

Mr. Wagner:

Yes.

Chf. Dickinson:

Nothing other than a re-enforcement of what our responsibility is through the Motor Vehicle Code and application of our existing rules and regulations.

Mr. Wagner:

Don't you think that's vague? If that is the standard operating procedure of the Bureau of Fire back in 1989 when this accident occurred and still is today, don't we in reality have the same exact potential situation that could occur?

Chf. Dickinson:

Certainly.

Mr. Wagner:

Why has there not been corrective action initiated?

Chf. Dickinson:

I can only answer from the Fire Chief's perspective and not the entire Department of Public Safety.

One of the problems with, if I believe I know where you're headed, would be to institute a rule for example that our apparatus responding to any call regardless of the nature of the call would be to stop at any intersection. It would be extremely difficult to fulfill our mission with the time constraints that we have to arrive in a timely fashion.

Mr. Wagner:

Do you want to continue to seriously harm people and subject our own people to the loss of life?

Chf. Dickinson:

Certainly not.

Mr. Wagner:

Isn't that our first goal here? I mean, shouldn't there be a whole lot of safety involved within the Department of Public Safety in terms of initiating and responding to an emergency?

Chf. Dickinson:

Absolutely. Our responsibility is to deliver the fire service level that we do here in the city. It's certainly not to harm people while we're attempting to do that and I don't believe Councilman, and I'm sure you're aware that no one has that in the back of their mind, there is no question of that.

Mr. Wagner:

I don't think anyone has it back of their mind but there's not a pro-active initiative here within the Administration levels of city government to prevent a recurrence and that disturbs me.

Chf. Dickinson:

I can respond that Director Cannon in the past few weeks has been gathering information and I know that he is ready to implement a policy in the next week or two that will change some of our response. I don't have that information in front of me of what that might be but I suspect that we are going to have some added criteria to our safety responsibility when responding; I would expect that.

Mr. Wagner:

Why haven't you initiated that? Why hasn't Director Cannon initiated that? Why hasn't the Mayor's Office initiated that?

Chf. Dickinson:

I can only answer for myself. I believe that our responsibility is to arrive at the scene at a most reasonable time and I believe most of it in Rules and Regulations comes with the responsibility of the drivers who are driving the apparatus or the vehicles. We could simply write a rule that we would stop at every intersection. Whether that in fact would occur or not, I can't be on every piece of apparatus out there. I realize that we are only human and people apply the rules as they see what that rule means. Part of the heartburn that I have is that I don't think even the State of Pennsylvania Motor Vehicle Code is clear and concise enough that actually brings

forward a clear message to drivers of apparatus on what that really means. That may seem to be a hedging answer but it's part of the problem that I see.

Mr. Wagner:

Chief, it's not hedging, your sidestepping the issue.

Chf. Dickinson:

I'm trying not to.

Mr. Wagner:

Well, you are.

Chf. Dickinson:

What can I tell you that you really want me to tell you?

Mr. Wagner:

What I'm telling you is that it's not the State Motor Vehicle Code that restricts us from initiating an order in-house for people driving emergency vehicles. And it continues to occur in the City of Pittsburgh where emergency vehicles go through blind intersections without looking both ways in the intersection. And precisely what happened here is continuing to happen because there's not an order initiated and it can be done in-house. We do not need state government to tell our people how to operate vehicles. And this intersection is a completely blind intersection. I know I go through the intersection several times a week and if an order has not been initiated, we are waiting for the same exact accident to occur today at that intersection.

Now there is no need, and I mean this categorically across the board. There is no need for any emergency vehicle to go through any red light or a stop sign without first looking and then proceeding. Now if that means a vehicle must come to a complete stop, so be it. If it means the vehicle has to through it five miles an hour, so be it or ten miles an hour, so be it with both people looking both ways. It doesn't mean that any vehicle can proceed through an intersection at 20 or 25 or 45 miles an hour. Because what we are permitting our people to do is to subject themselves and subject the public to serious or fatal injuries and it's about time that this Administration across the board send out an order, forget the State Motor Vehicle Code and that no emergency vehicle proceeds through any intersection without first making sure that that intersection is clear. And I want a commitment from the Administration to do that.

Chf. Dickinson:

My interpretation of what our rules and regulations are currently existing today says that exact same thing. Our Fire Bureau employees who drive do not have the right nor the authority to proceed through any intersection, controlled or uncontrolled, without first assuring that they have the right-of-way.

Mr. Wagner:

That's not what you just said to me earlier. You said to me that they have the right to proceed through an intersection and make a judgment call as to whether or not they are going through in a safe manner. What happened with the people that proceeded in this situation through the intersection? Were they reprimanded?

Chf. Dickinson:

Do you want to answer that because of the litigation?

Ms. Conturo:

Yes. It will go before the Vehicle Review Committee when the litigation is concluded. And then following that investigation action will be taken if necessary.

Mr. Wagner:

Chief, we have no policy in-house that reduces the potential for this type of accident and it disturbs me greatly. And if I have to introduce a bill which the Law Department may tell me that I'm walking on thin ice as to whether or not it's legal for Council to legislate and mandate how vehicles are operated within the administration, I'm going to do that. If the state law doesn't cover it, if the Administration doesn't cover it with a mandate then Council is going to cover it legislatively, but we're losing too many people in intersections. And a mechanical idea is a good idea but I have to tell you what that is going to do is give our personnel the opportunity to go through intersections even more so at high rates of speed without looking and the topographic nature of this city does not permit that. We enter too many blind intersections due to our hills and our valleys and our bridges and we cannot permit that to happen any longer in this city and I would like to see an Executive Order come out from either the Mayor's Office or the Department of Public Safety, the Director's office stating specifically that no emergency vehicle proceeds through any intersection without first coming to a stop and then proceeding or going through that intersection slowly and at the same time visibly determining whether or not the intersection is safe. And quite frankly that has not happened.

I would like to see it happen immediately today to prevent this from happening again.

Mr. Ferlo:

Chief, this whole situation again exposes one of the reasons why I resent the formation and the merger of the Public Safety Department because there's too many chiefs and they're not enough people making decisions and you're a good case in point. You now have passed the buck over the last ten minutes to Director Cannon. This has not been the first fire incident of this nature in terms of a truck damaging a vehicle at intersections. It's happened several times in the last four or five years that I can remember and unfortunately it's going to happen again.

You said it's unclear that there might be some ambiguity in the State Code. I don't think it's very ambiguous. I think the State Code very clearly says that these people have no right flying through that intersection without slowing down and then proceeding with caution. Isn't that what the Code says?

Chf. Dickinson:

Exactly.

Mr. Ferlo:

Okay. The reason why I resent this whole situation is, the public and we on Council should be able to hold you accountable as the Chief of the Fire Bureau for this problem. Not Director Cannon who's too busy in law school, we want to hold you accountable and that's one of the problems I have with this whole darn Public Safety Department merger which is a big joke. There's too many chiefs, no one is in charge and everybody wants to pass the buck to Director Cannon or some other white collar bureaucrat and that's not going to change until we get rid of the Public Safety Department.

Michelle Madoff:

Until the Controller does an audit on the Public Safety Department.

Chf. Dickinson:

I'd like to respond first and foremost. If I gave any indication of passing the buck to anyone, I apologize for that because I am directly responsible for any action that occurs in the Bureau of Fire.

Mr. Ferlo:

Why wasn't this policy instituted two years ago after the last incident?

Chf. Dickinson:

As I explained to Councilman Wagner, we believe that we have an adequate policy that is clearly understandable.

Mr. Ferlo:

Chief, given the nature of this incident, everybody in that department should have been called to an auditorium for a meeting and somebody should have been read the riot act, re-explained the State Motor Vehicle Code and any other policy that you're instituting. We were led to believe actually if you look back at the public record, we were led to believe in previous conversations where we would settle lawsuits, and this is before the tenure of the Solicitor, that that in fact was going to take place. It hasn't and we can't hold you accountable, we don't even get to appoint you which is another reason why the Public Safety Department should be disbanded.

Mr. Darkins:

Mr. Chairman, Ms. Conturo, I have another point of interest in regards to the firefighters or whatever it might be. I'm interested in knowing the ages of William Sharra, that has received \$475,000.00.

Mr. Cohen:

He's 27 years old.

Mr. Darkins:

I want to know the other ages, do we have them? What my interest is here, I think the City made a good deal but I'm concerned about into the future the medical expenses and everything. Is this all in this --

Michelle Madoff:

-- it's paid by their insurance company.

Ms. Conturo:

This is the extent of our settlement.

The Chair:

Any more questions? Those in favor of the motion indicate by saying aye? Opposed? The ayes have it. Thank you.

Mr. Wagner:

Chief, I'd like to find something out prior to final vote on this bill as to what enhancements are being made.

Chf. Dickinson:

I will get you the information.

Mr. Wagner:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA

STENOTYPE REPORTER

Also,

Bill No. 2447

A Resolution entitled, "Resolution providing for the issuance of a warrant to Guiseppe Manno, in the amount of \$3,679.00 in full settlement of claim for personal injuries and property damage, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2448

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the University of Pittsburgh in the aggregate amount of Four Thousand Nine Hundred and Fifty Dollars (\$4,950.00) in payment for tuition fees for 10 City Employees to attend the American

Experience Program furnished for the benefit of the City and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 1

(MR. RICCIARDI VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2449

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2450

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Pennsylvania State Police in the amount of \$7,800.00 for training four police recruits without previous authority of law; and providing for the payment of cost thereof."

Which was read.

Also,

Bill No. 2452

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Dairy Barn Southeastern Ohio Cultural Arts Center in the amount of Seventy Two Hundred Dollars (\$7,200.00), in payment for services furnished for the benefit of the City without previous of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2453

A Resolution entitled, "Resolution transferring the aggregate amount of \$800,000.00 from various code accounts to Code Account SPP (254359), Special Parks Program the amount of \$100,000.00 and to Code Account SSFSP (270256), Special Summer Food Service Program the amount of \$700,000.00 in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2593

Report of the Committee on Public Works for May 1, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2213

A Resolution entitled, "Resolution vacating Thirty-ninth Street between Liberty Avenue and Ewing Street in the 6th Ward, 7th Voting District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2358

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title VI, Conduct, Article I - Regulated Rights and Actions, Section 601 Public Order, Subsections 601.11 Littering and Dumping, 601.16 Violation and Penalty, and 601.18 Rewards." (AS AMENDED IN COMMITTEE)
—(SPONSORED BY MICHELLE MADOFF AND MR. FERLO)

Which was read.

Mr. Ferlo moved to recommit Bill No. 2358.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 2437

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Highland Building."

Which was read.

Also,

Bill No. 2439

A Resolution entitled, "Resolution vacating Unnamed Way beginning at a point on north corner of Perrilyn Street and Unnamed Way, thence easterly 110' to a point thence in a south direction 10' to a point, thence westwardly 110' to a point thence northwardly 10' to place of beginning in the 19th Ward, 4th Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2473

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase and installation of poles and street lights at various locations within the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2594

Report of the Committee on Planning, Housing and Development for May 1, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2440

A Resolution entitled, "Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) in the Mt. Washington community pursuant to Pittsburgh Code Chapter 549, so as to expand the streets included in the existing Mt. Washington RPPP Area 'N'."

Which was read.

Michelle Madoff:

Members of Council, there was some concern, and justifiably, about some of the entities like the Library and the Church up on Mount Washington. We were confronted with this a year ago. We worked with the

Administration, we worked with Permit Parking, and that was taken care of. We worked with the Police. And the people going to Church on Sunday are no longer being given tickets and we've made two or three parking spots for the senior citizens who go to the Library. I assure you, I'm telling you the way it is, that is not an issue.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 2595

Report of the Committee on General Services for May 1, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2526

A Resolution entitled, "Resolution providing for an agreement of professional services with ACCESS, 1011 Glendale-Milford Road, Cincinnati, Ohio 45215-1107, and Acme Visible Records, 228 Carlisle Avenue, Pittsburgh, Pennsylvania, 15229, for the move of equipment back to the Public Safety Building, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 2596

Report of the Committee on Public Safety for May 1, 1991 transmitting two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2444

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title VI - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order, to add provisions for prohibitions on excess noise."

—(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

On Bill 2444, noise. My colleagues raised some issues and I try to address concerns in a responsible way. We met with the Law Department and it was decided that a motion to amend Bill No. 2444 by deleting Item B because that was, according to Mr. Cohen and others, confusing and didn't really affect the bill one way or the other.

We also amended Item F-3. I didn't amend it; the Law Department insisted that we put in "amusement activity". What they're trying to do is to say that anybody who has a legal permit or a license, concert or a helicopter, or whatever, they're exempt from this.

This addresses basically the public nuisance things until 11:30 at night.

Mr. Ferlo seconded the motion.

Michelle Madoff:

I'm not through.

The Chair:

Please continue.

Michelle Madoff:

I want to read a letter into the Record. This is a letter addressed to me from Highland Park, Mr. Ferlo, Community Club, Inc.

"Dear Councilwoman Madoff:

I had attended the Council Meeting on Wednesday, May 1, 1991 and found it coincidental that at this meeting you once again proposed noise control legislation.

I was at the meeting at 10:00, the Post Agenda session called by Councilman Ferlo to discuss hazardous traffic, particularly on Stanton Avenue going to and from Highland Park.

In addition to speeding, these cars usually the windows and tailgates open wide and the radios blasting. Residents in Highland Park and North Negley are also affected by those car radios. We cannot sit on our front porches or sleep with the windows open in warm weather.

I am enclosing a copy of the statement prepared by the Highland Park Community Club, Park Public Safety Committee, prepared for the May 1 Post Agenda Council Session. On page 2 we request that Chapter 473, "Regulation Pertaining to City Parks" be reviewed annually and at that time a ban on non-headset radios be added.

The City parks picnic permit guidelines and regulations given to holders of picnic shelters permits states that absolutely no sound equipment or amplifiers are permitted without special permission."

That means if you have a permit or a

license, which I am exempting.

"Today's radios have to be considered amplifiers. It is possible to be walking around the Highland Park Reservoir and hear radios from Lake Drive several hundred feet away.

We feel that a complete ban on radios in parks would be more enforceable and more effective."

I'm not recommending that but I want you to know how strongly people feel.

"However, whatever type of legislation can be passed to control noise, the Highland Park Community Club" of which Mr. Ferlo is a strong representative, they didn't say that, I'm ad libbing, "is strongly in favor."

I say this because I also want to say that obviously whoever wrote the editorial on Friday of last week for The Pittsburgh Press, doesn't live in Stanton Heights, on Carson Street, Highland Park, Centre Avenue, or Grandview Avenue. Wouldn't it be fun if somebody were to go out and play the radio full blast in front of whoever wrote that editorial and see if they think it's alright at 11, 12, 2 o'clock in the morning, and so on, and I ask them to reconsider their position.

The Chair:

Could you please state the motion for an amendment again?

Michelle Madoff:

Motion to amend Bill No. 2444 by deleting Item B. B reiterates but is not specific as to the decibel level so it has been eliminated. And by adding Item F-3 by adding after the words, "political activity", "amusement activity". And the Law Department requested that.

The Chair:

And there is a second to that motion.

All those in favor of the motion? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

Just on the bill, the concern again, continually, on all these great bills that we come up with and pass, it really gets down to enforcement. I'd like to know from the Administration, after we do endorse and support this bill, what actions they will take. We didn't go through a public hearing process on this bill. I don't even believe anybody from the Administration came to the table from Public Safety or from Code Enforcement, mostly from Public Safety and the Police, on how they propose to deal with enforcement. Michelle has offered some suggestions, even to the extent of offering a device that would be helpful to Police.

But at some point, if we're going to pass this bill and make it mean anything, then I would like a response from the Administration on how they hope to enforce the bill.

Michelle Madoff:

I think that's a point very well taken and I think the point that was made in the editorial was well taken. It certainly isn't a rape or a murder, and it may not be the highest priority, but for people all over the City, it is an issue.

I will tell you that somebody called me yesterday about a contribution and said, "I wasn't going to give you one but I'm giving you \$500 for the noise bill." I was delighted. It sort of shocked me. People feel very, very strongly about infringement of noise in their community, and

that's all over the City.

Now, the way it is addressed, Mr. Ferlo, is no differently than you would have disturbing the peace. If there's somebody making a ruckus in your neighborhood, the Police come and they address who is disturbing the peace. If a loud radio is going by blaring, going back and forth, they're disturbing the peace.

All I'm saying is, not every Police Office, but a little \$15 monitor, meter, is put in a Police automobile and when they need it, they use it.

This is now a world-shattering piece of legislation, but it means a lot to senior citizens, particularly, who contact me in droves thanking me, telling me they've called their churches, asking me to call every house of worship because they feel so strongly about it.

And I thank you for voting for it.

The Chair:

The public overwhelmingly wants this legislation and I agree, though, we have to follow up possibly in two or three months and ask how many warnings or citations have been given out as a result of it.

Michelle Madoff:

Mr. President, maybe if we had a performance audit done on the Public Safety Department we might find out how we could shift our staff and our people so we would know how we can enforce these things. Let's not always lay the problem on the Administration. We need that performance audit. It's \$114 million, one-third of our annual budget.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2474

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code of Ordinances, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 615 - Commercial Public Nuisances by adding a prohibition against facilities where controlled substances are illegally bought, sold or used."
—(SPONSORED BY MR. DARKINS)

Which was read.

Mr. Coyne:

I'd like to make a motion to recommit Bill No. 2474. I wasn't here last week and I haven't had the opportunity to discuss the bill or ask questions to the Law Department.

Mr. Ferlo seconded the motion.

Mr. Milliones:

I would ask that it be put on the docket for a public hearing.

The Chair:

Councilman Darkins has requested a public hearing on the bill, so we need an appropriate motion.

He has also requested that we all take a tour of several sights that have been part of the reason for sponsoring this legislation.

So, we'll set a public hearing and set up a time to visit some appropriate locations.

Mr. Ferlo:

Maybe the Police could take a tour first, Mr. President.

WHICH MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 2606 Resolution appointing Clarence E. Perkins of 3676 Chartiers Avenue, Pittsburgh, Pennsylvania, 15204 as the Director of the Department of Water, effective on or after May 31, 1991.

Which was read.

Also,

No. 2607 Resolution appointing Reginald B. Young of 925 Wellesley Road, Pittsburgh, Pennsylvania, 15206, as the Director of the Department of Parks and Recreation, effective on or after May 31, 1991.

Which was read.

The Chair:

I'd like to ask that those two individuals come in front of Council tomorrow, if that's in agreement with all of you.

Michelle Madoff:

Excuse me, I apologize. Who will be coming tomorrow?

The Chair:

The two proposed appointments to the Department of Water and the Department of Parks and Recreation.

Mr. Ferlo:

We're all up for musical chairs, Mr. President.

The Chair:

They will be in front of Council tomorrow.

I'd like to ask that a motion be made to send a letter to the Governor, signed by all Members of Council, asking that the appointment to the vacancy of Senator Heinz be an individual from Western Pennsylvania that understands the problems of Western Pennsylvania, that understands the City of Pittsburgh, so that there is some balance in this State as to who is representing us in the United States Senate.

Mr. Milliones:

So moved.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo:

At least let them be from Pennsylvania,
Mr. President.

Mr. Milliones moved to approve the Minutes of
Tuesday, April 30, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse Mr. Darkins
for absence from the meeting.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Let's Go Pens!

And on the motion of **Mr. Milliones**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. XXXV

Tuesday, May 14, 1991

No. 20

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, May 14, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. DARKINS

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presents

No. 2627 WHEREAS, Tom Clements is known as Canevin High School's greatest claim to fame as a great basketball and football athlete; and

WHEREAS, Tom Clements attended Canevin High School where he started as a freshman quarterback, leading the Crusaders to their first Diocesan Football Championship in his Junior year; and

WHEREAS, Tom Clements was the first High School All American, played in the Pennsylvania Big 33 Team, was MVP of the Catholic League Football in 1971, and played with the Dapper Dan Basketball Team in 1971; and

WHEREAS, while schooling at Notre Dame University, Tom Clements quarterbacked 34 consecutive games, was Allstar American, made three Bowl appearances, and was the 1973 Sugarbowl MVP; and

WHEREAS, as a professional football player, Tom Clements began his career with the Kansas City Chiefs, playing for one year before moving on to the Canadian Football League where he spent 12 years; and

WHEREAS, during his professional career, Tom was a 7-time Division Allstar, 2-time

All Canada Star, was the '81 MVP of the Eastern Division, and the '87 MVP of the whole Canadian League; and

WHEREAS, concluding 13 successful years as a professional ballplayer, Tom Clements enrolled in the Notre Dame School of Law, where he graduated Magna Cum Laude in 1986; and

WHEREAS, on May 10, 1991, Canevin High School held their first Annual Canevin Recall Series at a dinner to honor former graduates who have achieved great success in their lives; and

WHEREAS, Tom Clements was chosen as recipient of the first Award, and was honored with the appearance of his former Coach at Notre Dame University, Mr. Ara Parseghian.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the accomplishments of Tom Clements and shares with great pride the recognition bestowed to him on the occasion of the Annual Canevin Recall Series.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like some of the union representatives and all the members of the rank and file who are on strike currently to come forward.

I think it's important that we invite everybody to come up here today with this proclamation because these are our friends and our neighbors and our family members and I think it's important that we stand with them.

I'd like to move the following resolution and then I'd like to introduce one of the spokespersons from the United Food and Commercial Workers' Union, as well as a couple of the young people who work in the stores, and I think it's important that they share with the public and with Council the plight and the struggle that they're going through currently.

I'm very honored to be presenting this on behalf of myself and Councilman Michael Coyne, Councilman Darkins, Councilman Regan and Councilman Ricciardi. And I'm sure other colleagues who I was not able to talk to yesterday, unfortunately, will stand with us this morning.

Mr. Ferlo, Mr. Coyne, Mr. Darkins, Mr. Regan and Mr. Ricciardi present

No. 2628 WHEREAS, the Giant Eagle Corporation is one of our City's largest and most profitable companies employing over 5,000 workers with annual sales of approximately \$2 billion; and

WHEREAS, over the last decade City government has provided considerable assistance to Giant Eagle to assist them in their expansion and growth; and

WHEREAS, Giant Eagle is currently involved in a labor dispute which has proved to be a hardship to Pittsburgh consumers and to striking employees and their families; and

WHEREAS, more than half of Giant Eagle's current workforce earns \$4.30 an hour or less recognizing that the federal minimum wage is now \$4.25 an hour; and

WHEREAS, the average wage rate at Giant Eagle is \$5.62 an hour, which means a full time worker with a family is below the federal poverty guideline; and

WHEREAS, two out of every five Giant Eagle workers have no health and welfare benefits and no insurance if they get sick; and

WHEREAS, Giant Eagle grocery clerks have not had an increase in their pension benefits in nearly 20 years; and

WHEREAS, a majority of Giant Eagle employees are members of the Local 23, United Food and Commercial Workers Union, AFL-CIO who chose to strike the company on April 22nd as a last resort; and

WHEREAS, beginning in 1984, Giant Eagle employees took substantial wage and benefit concessions which the company said it needed to help the company consolidate and expand; and

WHEREAS, corporate policy has led to the closing of many supermarkets in neighborhoods with a large number of elderly and lower income residents and franchising has led to lower wages and benefits; and

WHEREAS, the negotiating committee representing the striking employees are asking for fair and reasonable advances for their members and families in hopes of securing greater job security and better working conditions; and

WHEREAS, Giant Eagle threatened to "permanently replace" its employees, hoping to intimidate them enough to accept a contract offer that did not address the important issue of job security.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh calls on the Board Members and Operating Officers of the Giant Eagle Corporation to negotiate in good faith and bring a

resolution to the strike through a fair wage and benefits package; and

BE IT FURTHER RESOLVED, that City Council respectfully requests Mayor Masloff to communicate to the parties involved and offer support toward an amicable conclusion to the dispute which is hurting our residents and our local economy.

Mr. Ferlo moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I do want to introduce one of the spokespersons from the union officials from the United Food and Commercial Workers' Union Local 23. Also, I thought it would be helpful for the public to hear a couple of the workers themselves who are on strike and what they're going through and what this struggle is about for them.

I just want to say as somebody who in '84 was very active in supporting the strike, I can attest to the fact, in my understanding of the previous contract, is on in which this union gave up some things. It gave up some things in order to help secure this company in a better financial light. If you all remember the rhetoric of "Absolute Minimum Pricing", that rhetoric came into existence during the '84 struggle. And these workers and the union that's represented here today did, in fact, cooperate with that union and with the management at that time.

In return, as far as I'm concerned, and I can only speak for Jim Ferlo, I think they're getting the shaft. And it's disappointing to me to see what the company is doing to the union currently. They've hired a company from Ohio

that's a well-known strike-breaking organization. Basically they're a bunch of big thugs who hang out at the parking lot and try to intimidate people, and I don't think we should tolerate that in this City.

The City government has been a good friend to the Giant Eagle Company. We gave them a multi-million dollar Urban Development Action Grant to help build their warehouse. That warehouse, in fact, helped them consolidate and that began the corporate policy and the corporate move aimed at closing inner-city stores like Garfield in my district and Hazelwood and North Side and we could start naming all the different stores that have closed.

So, if anything, City government and the people of Pittsburgh have been a good friend to the Giant Eagle Corporation and it's about time that Giant Eagle started taking care of its own employees who have made the profitable company that they are today.

At this time, I'd like to introduce Gary Bess who is the director of the union representatives from Local 23, United Food and Commercial Workers' Union.

Mr. Bess:

Thank you, Mr. Ferlo. We appreciate the support of City Council and we also appreciate, very much, the support that the citizens of the City of Pittsburgh have given or picket lines. The support has been shown in the lack of customers that this company has.

The proclamation pretty much covers the issues that we're on strike over. A lot of the issues that I want to hit on is in '83 we took massive concessions. The State, the Federal Government, the City of Pittsburgh, loaned Giant Eagle money to get them back on their feet. This company is back on their feet, they're vastly profitable, and

they're taking the profits that we generate, they're building brand new stores in Swissvale, franchise them, non-union, paying minimum wage, no benefits, and denying these people the right to work in those stores. That is wrong. It's wrong in Pittsburgh, it's wrong in Pennsylvania, it's wrong in the United States. It is wrong anywhere. Thank you.

Mr. Ferlo:

There are a couple of other people who I'd like to have come forward at this time. Donna Wilhelm, as well as Jim Thomas. Donna works in the Village Square store and Jim works in the Shakespeare at Giant Eagle which is my store but I will never cross a picket line and I hope other City residents don't cross the picket line and stand in solidarity.

At this time I'd like to ask Donna to say a few words as well as Mr. Thomas, and one other brief speaker, possibly, Shiela Finney, I believe. So, if those three folks could come forward and share some of your thoughts.

Ms. Wilhelm:

All I have to say is that I think that Shapiro could negotiate a better contract. He laid all his marbles on the table at the beginning and now he has nothing to bargain with. All he has to do is bargain a fair contract for everybody and we'll all be happy. That's all we ask is for a fair, equal contract, and give the money back to the people that he took away to build Phar-Mor and all the rest.

And don't give us the bull with the books from the warehouse showing that these stores made a loss when they didn't, when we know all well that he owns the warehouse

Come on, give us a fair shake. Don't screw us. That's basically all we want, is a good

negotiation.

Mr. Thomas:

Basically I'd just like to thank City Council for supporting us and we hope that we can resolve this pretty soon. Thank you.

Ms. Finney:

What I would like to say is that Dave Shapiro and Dan Shapiro are losing out because if we're this strong to stay out all this time, then they have the weak ones in the store and what they need is to put us back to work and to know that we're the ones that put out the work because we're the ones that are staying strong outside, so imagine what we could do inside with what we need to have to work with for our families.

Mr. Ferlo:

There are a couple other Councilmembers who I'm sure would like to add their voice to this resolution. I know Michelle would like to say a few words.

Wednesday night at 7:00 at the Convention Center in North Six, there is an organizing meeting, a coalition of community groups, other unions who are supporting the union, UFCW and the striking employees. So, if there are any other organizations out there interested in helping this union through this battle, there is an organizing meeting Wednesday at 7 p.m. at the Convention Center. I see some representatives, Otis King and others from the Coalition of Black Trade Unionists. I know they're very supportive of this struggle that these folks are going through.

I just want to make a personal appeal to all my friends in the community, and that is to really stand by these folks during this picket line. Do not shop at Giant Eagle. And personally, I'm not

even shopping at Phar-Mor during this battle because I think it's important that we stand with these folks. These are our friends, our neighbors, our sisters and our brothers. These are people that make a little over \$5 an hour. Who in their right mind can support a family and children today with that kind of a wage? Keep that in mind when you see these people out on the picket line.

Do not cross the picket line. Continue to stand with them. Boycott Giant Eagle and let's stand in solidarity.

Speaker:

I would just like to say one thing. In defense of all these young people, we have all been through our trials, people in their 50s, people in their 60s. We are going backwards. We're going back to the 20's. We are civilized human beings. Gas is not going down. Electric is not going down. The phone is not going down. Your doctor bills are not going down. These people will be on relief if we don't fight and stand united with our jobs and our union.

Michelle Madoff:

As everyone may know, I was endorsed by the Labor Council and just about every union, and I felt an obligation, as exhausted as I was, to show up at 8 or 9:30, you saw me there in the parking lot and you saw me on the stage down at Point Park. And what I said then needs to be said again.

People of good will, people of good faith, people with integrity, can solve any problem. And Giant Eagle must sit down with the leadership, not a month from now, not two weeks from now, but today, and resolve this problem. I don't have groceries.

The Chair:

Councilman Ferlo, you can add my name to that resolution. Thank you.

Thank you all for coming.

Mr. Ferlo presents

No. 2629 WHEREAS, the Polonia Song and Dance Ensemble is a society dedicated to the preservation and perpetuation of Polish culture; and

WHEREAS, the Polonia Song and Dance Ensemble has been performing at various festivals for over three years and is a non-profit organization under Section 501(c)3 of the Internal Revenue Code.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the Polonia Song and Dance Ensemble a civic organization within the context of the Pennsylvania Small Games of Chance legislation.

Mr. Ferlo moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo presents

No. 2630 WHEREAS, the East Liberty Salvation Army is a member of the East End Cooperative Ministry, serving the needs of the East End neighborhoods of East Liberty, Highland Park, Shadyside, Bloomfield, Lawrenceville, Squirrel Hill, Hazelwood and Oakland; and

WHEREAS, these two ministries, East End Cooperative Ministry and the Salvation

Army, compliment each other - the Salvation Army serves weekend meals to people and the East End Cooperative Ministry serves meals through the week; and

WHEREAS, the Salvation Army provides badly needed clothing to persons in need; and

WHEREAS, the Salvation Army also provides day care services and after school programs for children, counseling, material assistance, food, referrals and religious services; and

WHEREAS, on Tuesday, May 14, 1991 at 6:00 p.m., the Salvation Army invites the public to an open house and tour of its beautiful, newly renovated facility located at 6017 Broad Street, East Liberty; and

WHEREAS, this open house is in celebration of National Salvation Army Week, May 13-19, 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the Salvation Army for its efforts toward educating and restoring people to a whole and productive life; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Tuesday, May 14, 1991 as East Liberty Salvation Army Day in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Milliones and Mr. Darkins present

No. 2631 WHEREAS, the Pittsburgh

Chapter of the National Association for the Advancement of Colored People, better known as the NAACP, was established 37 years ago; and

WHEREAS, the Pittsburgh NAACP was founded for the purpose of ensuring the human and civil rights of minorities in the City of Pittsburgh; and

WHEREAS, the Pittsburgh NAACP has been diligent in the African-American community with regards to compliance in the political arena and economic development opportunities; and

WHEREAS, the Pittsburgh NAACP is holding its 37th Annual Human Rights Dinner on Thursday, May 9, 1991; and

WHEREAS, the proceeds of the Annual Human Rights Dinner will be used in a manner which will enhance the efforts of the NAACP in the City of Pittsburgh and particularly in the African-American community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges the pursuit, progress and endeavor of the Pittsburgh Chapter of the NAACP on the occasion of its 37th Annual Human Rights Dinner; and

BE IT FURTHER RESOLVED, that May 9, 1991 be declared NAACP Day in the City of Pittsburgh and received as a symbol of recognition to those who work to ensure the principles of equality and justice.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan and Mr. Darkins present

No. 2632 WHEREAS, since the founding of this great nation, law enforcement officers have safeguarded the rights and protected the lives and property of its citizens; and

WHEREAS, law enforcement officers serving the citizens of Pittsburgh exemplify the finest precepts of jurisprudence and bravely defend our rights; and

WHEREAS, many have sacrificed their life protecting the City and its residents; and

WHEREAS, the week of May 12-19, 1991 is Police Memorial Week in the City of Pittsburgh; and

WHEREAS, the purpose of this observance is to call upon the citizens to pay tribute to the brave police officers who, through their fortitude, dedication and courage, have given their lives for the preservation of the public's safety, inspiring all of us to pause and reflect upon the dignity and value of human life; and

WHEREAS, on Sunday, May 19, 1991 police officers will meet at 9:30 a.m. at the Moose Lodge marching to the Immaculate Conception Church in Bloomfield to pay tribute to the fallen heroes who dedicated their life protecting the residents of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and recognizes the Pittsburgh Police Officers who have made the supreme sacrifice of their precious lives for the cause of justice.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

I would just like to say one thing, Mr. President, and Mr. President Pro Tem, James Ferlo, that we can't take light what these great citizens of ours have done for our community. You know, for a man to defend you with his life is a supreme sacrifice that anybody can make.

I pay tribute to the police officers of this great City of Pittsburgh. I think we have the finest police officers in the United States. Our crime rate has just dropped, and I just think that I'd like to pay tribute to those people here this morning, the men and women serving us as police officers in the City of Pittsburgh. Thank you.

The Chair:

Thank you, Mr. Regan.

I'd like to ask Robert J. Gangewere to please step forward to receive this resolution. The name may be familiar to many of you; Robert is the Editor of The Carnegie Magazine and it's an honor to have him here today to receive this resolution.

The Chair presents

No. 2633 WHEREAS, the Pennsylvania Humanities Council is an organization which has been working for nearly two decades to enhance the meaning and value of life through the creation of public programs involving history, philosophy, literature, culture and ethics; and

WHEREAS, the Pennsylvania Humanities Council and the Pittsburgh Steering Committee - led by The Carnegie and The Pittsburgh Cultural Trust - are sponsoring

"Always a River: The Ohio River and the American Experience", a six-state project designed to interpret the history, industry and culture of the Ohio River Valley Region; and

WHEREAS, from May 22 through June 6, 1991, the City of Pittsburgh will be the first of twenty-one communities to welcome the "Always a River" Exhibition On A Barge at Point State Park. The exhibit goal is to provide visitors with the opportunity to learn the history, culture and economic development of the Ohio River in the Pittsburgh region.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares May 22 through June 6, 1991 as "Ohio River Days" in the City of Pittsburgh.

Mr. Milliones moved to adopt resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Again, I would like to state that it is an honor for me to present this resolution. I know how much this Council has been involved in our river development in the City of Pittsburgh. We have numerous exciting projects going on such as The Carnegie Science Center, The Strip District, Down By The Riverside. Some of you were there this past Friday; I was there to see how that project is pursuing, certainly a project that I have wanted to see move forward for every year I have been on Council. We are seeing trails develop along with private developments on our water fronts.

And this project coming to the City of Pittsburgh, and Pittsburgh being the first City for Always a River Exhibition to take place is appropriate because the Ohio River, at the

confluence of the Monongahela and the Allegheny Rivers, begins in the City of Pittsburgh.

This is a project that brings attention to what is happening on our river fronts and what our rivers are all about in this region, and the important lifeline that they bring to this region.

It's an honor to have Robert J. Gangwere here. He is the Chairman of Always a River, and is accepting the resolution on behalf of the Pittsburgh Steering Committee and the Pennsylvania Humanities Council. Robert, please shed some light on this project.

Mr. Gangwere:

Thank you. I was in Louisville for the first time over the weekend. Louisville's water front is a sad thing to see. I have been in Cincinnati within the last year; Cincinnati's water front park, while nice, is nothing to compare to the sight of Pittsburgh.

I can give you testimony that we have the most interesting looking water front up and down the Ohio River. Other people know it and we should do as well as we can to make it even better. The trail around the Point will be one way to do that.

What we have coming here on May 22nd is the Barge which goes down the Ohio River, stopping at communities all the way down the river, and at every place it stops there's a celebration. Every city is trying to get together its own activities, its own history, its own recreational programming. But Pittsburgh's will be the largest and the most impressive; it corresponds to the Three Rivers Arts Festival being here in part, and we expect a very large turnout.

Other cities look to us for leadership. We

are getting representatives from all the states down the Ohio River to come when the Barge is dedicated on May 22nd and certainly I hope all the Councilmembers will be there.

The Barge will be here longer than it will be in any other place. It then goes down river to Rochester, near Beaver, and then proceeds down to West Virginia, Ohio and so on.

This is a project that has great grass roots support. It may not seem apparent right away but it certainly does. We have been working with the Corps of Engineers, with The Propeller Club, with The Mendelsson Choir, with folks singers, and all kinds of people are interested in this sort of project.

I should say that the Pennsylvania Humanities Council has been very supportive in its assistance to this. We've also had support from The Pittsburgh Foundation, the Ganassi Foundation, Duquesne Light Company and The Pittsburgh Hilton and Towers.

So, I thank you very much for giving this award to this project. Thank you.

Mr. Cohen presents

No. 2634 WHEREAS, historic districts and landmarks contribute to the economic, social and cultural vitality of the City of Pittsburgh; and

WHEREAS, "Celebrate Your Heritage" is the theme for Preservation Week 1991, co-sponsored by the Historic Review Commission, Pittsburgh History and Landmarks Foundation, and many neighborhood organizations; and

WHEREAS, the Historic Review Commission is honoring individuals, businesses and institutions throughout the City for their involvement in outstanding preservation projects; and

WHEREAS, Preservation Week provides an opportunity for all residents to celebrate Pittsburgh's historical and architectural heritage.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares May 12-18, 1991 as "Preservation Week" in the City of Pittsburgh and invites all Pittsburgh residents to celebrate the City's rich heritage.

Mr. Cohen moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Cohen:

Members of Council, we have with us today Lauren Uhl who many of you know, probably all of you know as being from the Planning Department, but also on the staff of the Historic Review Commission.

Pittsburgh has such a rich historical heritage and I think that this is a good opportunity to celebrate that and, oddly enough, the title is "Celebrate Your Heritage". So, Lauren, please say a few words.

Ms. Uhl:

On behalf of the Historic Review Commission and all the other groups who have put together the events for Preservation Week, we very much appreciate your support.

We have worked hard to put together a series of events, City-wide this year. They will include a number of walking tours. Highland Park is having an open house tour. There will be walking tours of Allegheny Cemetery,

Allegheny Commons Parks. There is an event in the lobby of the City County Building that I hope you'll be able to take a look at which consists of buildings constructed in the City before the Civil War that are still around. There are a number of award ceremonies and there will be slide shows as well.

So, I hope you'll be able to participate in some of those events.

Mr. Cohen presents

No. 2635 WHEREAS, the Avant Garde Foundation is a Pittsburgh-based organization established to encourage exchanges between the citizens, especially the youth, of the United States and the Soviet Union with the ultimate goals of fostering better relations through a greater awareness and understanding of each other's cultures; and

WHEREAS, Vladimir Pozner, the world-renowned Soviet political commentator and television celebrity, serves as a member of the Board of Directors of the Avant Garde Foundation; and

WHEREAS, Mr. Pozner was raised in New York City until the age of fifteen, and has served in the Soviet Union as a political commentator and spokesperson; and

WHEREAS, Mr. Pozner has appeared often on such shows as Nightline, Larry King Live and The Phil Donohue Show, working towards building bridges between our nations; and

WHEREAS, Vladimir Pozner will be speaking on the subject of "The Soviet Union Today and Tomorrow, What Americans Should Know" at the Westin William Penn on Monday, May 20, 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes Vladimir Pozner to Pittsburgh and joins him in his quest to foster understanding between the peoples of the Soviet Union and the United States.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. Vladimir Pozner, as you can see, is not here today but he will be here this weekend and I think this is a good opportunity to honor him and also to honor the group called Avant Garde.

We have with us today, many of you may certainly know J.E. Paisley, formerly of my staff and who is working closely with Avant Garde. And we have, I'm not even going to try it again, two students at the University of Pittsburgh who are Russians and one of whom, is actually serving as a translator here when Mr. Pozner comes.

So, without further ado, J.E., if you could say a few words about this, I'd appreciate it.

Ms. Paisley:

Vladimir knows that our City has given the world many of its greatest artists. We feel very honored by his participation and Avant Garde realizes that through sharing the cultures comes peace and understanding.

Thank you, Vladimir, and thank you, City Council.

Mr. Cohen presented

No. 2608 Resolution further amending Res. No. 1415, eff. Jan. 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by amending the title of EC 91-505 to read "City-County Building Trust Fund Transfer". This resolution will provide for the transfer of up to \$300,000.00 into the City-County Building Trust Fund.

Also,

No. 2609 Resolution providing for the creation of a special trust fund to be known as the "City-County Building Trust Fund" for the deposit of funds to be used for the Renovations to the City-County Building. Upon completion of said project, the unexpended funds shall be redeposited in the Department of Engineering and Construction's Unrestricted Cash and Credit Code Account 3-13-95-0205-91.

Also,

No. 2610 Resolution providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for Renovations within the City-County Building, including electrical service and switchgear, at a cost not to exceed \$100,000.00 or more, but less than \$300,000.00, chargeable to and payable from the City-County Building Trust Fund.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Ferlo for Mr. Darkins presented

No. 2611 Resolution providing for a Contract or Contracts, or the use of existing

Contracts for sawing and sealing asphalt and concrete at various locations within the City of Pittsburgh, in connection with the City's Street Resurfacing Program, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 3-01-01-0001-91, Citywide Resurfacing.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2612 Resolution granting unto Katherine Zgurich, 208 East Woodford Avenue, her successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a porch and deck on a portion of the right-of-way of an 5' foot Unnamed Way in the 29th Ward, 4th District of the City of Pittsburgh. This request is made by Katherine Zgurich that when constructing their porch and deck they inadvertently constructed them in the 5' foot paper right-of-way.

Also,

No. 2613 Resolution amending the Title and Section 1 and 6 of Res. No. 1217, approved Nov. 19, 1990, effective date Nov. 8, 1990 entitled, Encroachment for Dumpster and Loading Dock Area, on the right-of-way of Hope Street and E. Lacock Street in the 23rd Ward, 1st District of the City of Pittsburgh. This error occurred due to a misunderstanding of the extent

of the encroachment required.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2614 An Ordinance amending the Pittsburgh Code, Title Nine, "Zoning", by creating new rules and regulations for the "A1" Commercial-Residential Associated District and by revising the type of occupancy exceptions allowed in the "C3" Commercial District. (All Council Districts)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 2615 Resolution Repealing Res. No. 825, Item D, eff. Oct. 24, 1989, which authorized the sale of a one story, brick veneer house and garage situated on a lot 73.86' x avg. 112.593' x 68.765' rr, located at 6960 Meade Street, 14th Ward, Block 126 C, Lot 172, to John W. Ponds, for the sum of \$38,500.00.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 2616 Resolution providing for the issuance of a warrant in the amount of \$557.78

for payment to McCollister's Moving & Storage, Inc., for removal of the old copier machine from the Law Department premises due to the purchase of a new copier machine, chargeable to and payable from Code Account 1075, Subaccount B05-1, Department of Law.

Also,

No. 2617 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 2618 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 2619 Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings at a cost not to exceed \$800,000.00, chargeable to and payable from Code Account Capital Project Funds, Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 2620 An Ordinance amending Ordinance No. 3 of 1991, approved February 5,

1991, entitled, "An Ordinance supplementing and amending the Pittsburgh Code, Title Three, Water, Article I, Administration, Chapter 303, by changing the title to read Water Exoneration Hearing Board and by changing 303.01 Composition and 303.02 Duties", by changing the number of candidates that Council submits to the Mayor from a list of not less than three (3) or more than nine (9) candidates.

---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Water.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair presented

No. 2621 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the proposed Conditional Use Exception for Shadyside Hospital to build a helistop. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2622

Report of the Committee on Finance for May 8, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2446

A Resolution entitled, "Resolution providing for the issuance of a warrant to Barbara Bielevicz and Robert D. Tumpa, in the amount of \$56,727.70 in full settlement of claim for reimbursement for alleged violation of their civil rights by City of Pittsburgh Police Officers."

Which was read.

Mr. Cohen:

I'd like my remarks on Bill No. 2446 brought forward for the Record.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMENTS ON BILL NO. 2446 - Wednesday, 5/8/91)

Mr. Cohen:

Thank you, Mr. Chairman. Mr. Spector, let me ask you a couple questions first, just to refresh my recollection about the case.

My understanding is that after these folks were arrested twice in that same evening, they filed suit, and was it in Federal District Court under civil rights?

Mr. Spector:

That is correct.

Mr. Cohen:

It was a jury case. The jury found against the police officers, but in favor of the city?

Mr. Spector:

No. The city, at the conclusion of the plaintiff's case, a motion to dismiss by the city was sustained.

Mr. Cohen:

I see. Effectively, there was not a verdict -- not a verdict, but the city was not found guilty, but the officers were?

Mr. Spector:

That's right.

Mr. Cohen:

The plaintiffs then appealed the decision about the city to the Court of Appeals; is that right?

Mr. Spector:

That's right.

Mr. Cohen:

And the Court of Appeals remanded back to District Court?

Mr. Spector:

Right.

Mr. Cohen:

I don't want to get too legalistic here, but somebody along the process, some Judge, said that there was, in fact, a long standing policy of the city to incarcerate people without probable cause in instances like this and with no intention of bringing them before a judicial officer. Was that on remand to the District Court?

Mr. Spector:

No, that was in the opinion of the Court of Appeals. Judge Becker wrote that there was testimony in the case that was sufficient to have gone to the jury for their determination as to whether such a policy existed.

Mr. Cohen:

I see. It is your judgment that if that were to go to trial, that there is enough of a chance that a jury could find against the city, that this is the settlement that you recommend?

Mr. Spector:

We think as long as there is that chance. The Law Department agrees wholeheartedly with Director Cannon that there never was such a sanctioned policy. But nonetheless, there is sufficient testimony that a jury might believe that there was.

Mr. Cohen:

Okay. Well, my only other question, then, does go to policy. And Director, you may have answered this, but let me just make absolutely sure that what the judge said was, as Mr. Spector is saying, there is sufficient evidence to go to a jury on the question of whether there was a long standing custom of arresting people who were intoxicated without probable cause and incarcerating them. What you are saying this morning is that policy, if it ever did exist, no longer exists?

Mr. Cannon:

Well, yes, I am saying that, and also that there are accountability systems in place that did not exist at that time that would have immediately -- that now would identify an abuse of something on the part of officers, so that there could not be the appearance of sanctioning on the part of the city, because it was allowed to go on for a period of time. That could not happen today because of the documentation and the requirement that everyone is documented and goes before the Magistrate. There are court records, there were arrest records that match up on every one of these cases.

Mr. Cohen:

Okay. I think we should put it into perspective to say that this policy, I am sure, was put into place to protect the citizen who got drunk and had to sleep it off so they wouldn't get a record. I assume that was the original reason. But I think that you all agree that the discretion that puts on the police officer makes that bad policy, probably, I am sure, unconstitutional, and that I need to be assured that that will no longer happen.

Mr. Cannon:

Well, we have not seen it happening I would say in the last four years, and it is even more strict now with the completing of a normal regular arrest report also for every public intoxication arrest, as well as the citation and the Magistrate's hearing. So there is even further documentation to the event and what occurred. So over time, what we have done is evolved a system that has, as I said, far more accountability and far more control by the management level, and it is no longer allowed to be totally the discretion of the arresting officer without review. It is now reviewed.

(End of remarks.)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 2475

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Roy Miller Co. in the amount of Eight Hundred Seventy-five (\$875.00) dollars in payment for work furnished for the benefit of the City in connection with the location of a sewer in Clyde Street without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2521

A Resolution entitled, "Resolution amending Resolution No. 629 of 1988 which amended

Resolution No. 222 of 1988 entitled 'Providing for a professional services agreement or agreements for the Administration of the City's Workers Compensation Program for a period of three years beginning July 1, 1988 to June 30, 1991, and providing for the payment of the cost thereof, subject to annual appropriations, at an annual cost not to exceed Six Hundred Fifty Thousand Dollars (\$650,000.00) chargeable to and payable from Code Account 44, Workman's Compensation Fund, Index Code 004408, Department of Finance', by extending the term of the agreement to December 31, 1991."

Which was read.

Also,

Bill No. 2522

A Resolution entitled, "Resolution providing for a professional services agreement or agreements or to use existing agreements for the provision of support, design, and programming services to City Information Systems at a cost not to exceed Eighty-Five Thousand Dollars (\$85,000.00) for the Bureau of Information Systems, City Information Systems, Department of Mayor, Code Account No. 1043, Index Code 104307, Miscellaneous Services and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2523

A Resolution entitled, "Resolution providing for an agreement or agreements with Church of the Good Shepherd and the Shepherd Wellness Community, a non-profit organization, to provide bi-weekly dinners and other services for City residents."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2527

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Adolph Suffrin, Inc., 5770 Baum Boulevard, Pittsburgh, PA 15206, in the amount of \$1,060.00 for the purchase of a paper folder in the City Clerk's Office, without previous authority of law, chargeable to and payable from Code Account 1006, Equipment, Index Code 100602, City Clerk's Office."

---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2585

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of WAMO FM/AM, in the amount of Five Thousand Three Hundred Dollars (\$5,300.00) in payment for radio advertisements furnished for the benefit of the City in connection with the EMT/Paramedic Training Program and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Wagner
Mr. Millions	(Pres't)

AYES 5 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And there not being two-thirds of the votes of Council in the affirmative, the bill was tabled.

Mr. Ferlo:

Since that's a warrant, Mr. President, I move to recommit Bill 2585.

Mr. Coyne seconded the motion.

The Chair:

The bill has been voted on.

Mr. Ferlo:

Then the Administration will have to pay the bill.

The Chair:

The bill fails because it has been voted on.

Mr. Ferlo:

It can be voted again with six votes.

The Chair:

It's automatically tabled and it can be re-introduced at another session.

Also,

Bill No. 2586

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain properties, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Millions:

In accordance with Section 322 of the Home Rule Charter, I move that Bill 2446, which was the first bill presented, shall become effective on the date on which it is signed by the Mayor.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo for Mr. Darkins presented

Bill No. 2623

Report of the Committee on Public Works for May 8, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2476

A Resolution entitled, "Resolution granting unto Harvey Light, 4117 Liberty Avenue, his successors and assigns the privilege and license to construct, maintain and use at his own cost and expense, a handicap ramp on a portion of the sidewalk of Liberty Avenue, in the 8th Ward, 7th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2477

A Resolution entitled, "Resolution granting unto Joseph Laffey, 1269 Duffield Street, his successors and assigns the privilege and license to construct, maintain and use at his own cost and expense, a wheelchair ramp on a portion of the sidewalk of Duffield Street, in the 10th Ward, 7th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2478

A Resolution entitled, "Resolution granting unto South Side Development Co., 1417 E. Carson Street, their successors and assigns, the privilege

and license to construct, maintain and use at their own cost and expense, 10 porches and 10 flights of steps on a portion of the sidewalk of Breed Street and S. 13th Street in the 17th Ward, 3rd District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2624

Report of the Committee on Planning, Housing and Development for May 8, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2479

A Resolution entitled, "Resolution providing for an agreement or agreements with the Pennsylvania Historical and Museum Commission in connection with the City's Historic Preservation Program."

Which was read.

Also,

Bill No. 2480

A Resolution entitled, "Resolution authorizing the City Controller to establish a special trust fund entitled 'Historic Preservation Program/Pennsylvania Historical and Museum Commission Trust Fund.'"

Which was read.

Also,

Bill No. 2481

A Resolution entitled, "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories."

Which was read.

Also,

Bill No. 2482

A Resolution entitled, "Resolution amending Resolution No. 290 effective April 13, 1989, as amended by Resolution No. 682, effective July 20, 1990 entitled 'Providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Small Chore and Shopping Program) to provide administrative support to the Agency,' so as to change the amount appropriated from \$12,750 to \$15,250 (+ \$2,500 1991 funds)."

Which was read.

Also,

Bill No. 2483

A Resolution entitled, "Resolution amending Resolution No. 289 effective April 13, 1989, as amended by Resolution No. 681, effective July 20, 1990 entitled 'Providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Senior Escort Program) to provide administrative support to the Agency,' so as to increase the amount appropriated from \$15,143 to \$17,643 (+ \$2,500.00 1991 funds)."

Which was read.

Also,

Bill No. 2484

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hunger Services Network for administrative assistance and operating funds for their Penn Avenue Office in an amount not to exceed \$55,000.00."

Which was read.

Also,

Bill No. 2485

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Jewish Community Center for financial assistance in the operation of their scholarship program, in an amount not to exceed \$27,500.00."

Which was read.

Also,

Bill No. 2486

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Persad, Inc., an organization that provides counseling and information for AIDS related victims in an amount not to exceed \$32,000.00."

Which was read.

Also,

Bill No. 2487

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Generations Together for administrative assistance with their youth volunteer services for the elderly program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2488

A Resolution entitled, "Resolution providing for an Agreement or Agreements with United Jewish Federation of Pittsburgh for administrative assistance in operating a Career Development Center for the unemployed, in an amount not to exceed \$37,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2489

A Resolution entitled, "Resolution providing for an Agreement or Agreements with CareBreak to provide support to low and moderate income families caring for handicapped children at home, in an amount not to exceed \$50,000.00."

Which was read.

Also,

Bill No. 2490

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out hunger related programs for public services to low and moderate income persons, in an amount not to exceed \$150,000.00."

Which was read.

Also,

Bill No. 2491

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the implementation of the Home Security Program and the installation of locks and smoke detectors in the City, in an amount not to exceed \$242,000.00."

Which was read

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7

NOES none

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2492

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City at a cost not to exceed \$75,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2493

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons, in an amount not to exceed \$210,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES none

(MR. MILLIONS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2494

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commission on Families for administrative support in operating their programs at a cost not to exceed \$73,000.00."

Which was read.

Also,

Bill No. 2495

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for administrative assistance in operating the 'Housing Counseling Program' for low-moderate income families, at a cost not to exceed \$210,000.00."

Which was read.

Also,

Bill No. 2496

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port

Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus."

Which was read.

Also,

Bill No. 2497

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant or consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program."

Which was read.

Also,

Bill No. 2498

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, or related activities, at a cost not to exceed \$215,000.00."

Which was read.

Also,

Bill No. 2499

A Resolution entitled, "Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in

improving its Citizen Participation Process and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2500

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Partnership, Inc., for administration of a program to provide funding for community development corporations undertaking community economic development activities."

Which was read.

Also,

Bill No. 2501

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Corporation for administrative and/or operating assistance in running a low-moderate income youth-oriented facility, at a cost not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 2502

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their 'Employment Training Program for Special Need Adults' in an amount not to exceed \$8,500.00."

Which was read.

Also,

Bill No. 2503

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Elder-Ado, Inc., for administrative-operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 2504

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Elizabeth Seton Center for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 2505

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Esplen Senior Citizens Association for operating assistance in running their Food Bank Project, at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2506

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Garfield Jubilee Association for administrative/operating support for their Community Maintenance Program in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2507

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Golden Carriage, Inc., a non-profit corporation, to provide community social services including a shopping-transportation escort service to the aged, handicapped, and disabled in an amount not to exceed \$2,500.00."

Which was read.

Also,

Bill No. 2508

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hazelwood-Glen-Hazel-Glenwood Citizens Council for administrative assistance at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2509

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Homewood-Brushston Community Improvement Association for expansion to and operating assistance for their multi-purpose recreation facility in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2510

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville/Bloomfield Meals on Wheels for maintenance and program support in an amount not to exceed \$2,600.00."

Which was read.

Also,

Bill No. 2511

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lawrenceville Citizens Council for administrative/operating support of their 'Housing Information Program' in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2512

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville Development Corporation for acquisition and site preparation in their housing development and revitalization program at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2513

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Minority Youth Development Company to provide administrative support to the Agency (to operate a 'Mentor Relationship with Urban At-Risk

Youth' Program) in an amount not to exceed \$6,000.00."

Which was read.

Also,

Bill No. 2514

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Mom's House to purchase a building and provide administrative assistance with their services for Unwed Mother's Program in the amount not to exceed \$6,388.00."

Which was read.

Also,

Bill No. 2515

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Perry Hilltop South CDC for administrative support in an amount not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 2516

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Riverview Center for Jewish Seniors for administrative assistance in operating the therapeutic activity social services programs for the severely mentally impaired, in an amount not to exceed \$11,000.00."

Which was read.

Also,

Bill No. 2517

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for assistance in carrying out their 'adopt a lot' program in an amount not to exceed \$22,888.00."

Which was read.

Also,

Bill No. 2518

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ursuline Center for administrative support in operating programs serving elderly, homebound elderly, unemployed, disabled and child care center, in an amount not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2519

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Women's Center and Shelter, an organization that provides counseling and information for the low-income women experiencing domestic violence problems, in an amount not to exceed \$12,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 2625

Report of the Committee on Parks and Recreation for May 8, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2524

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Public Welfare, Pennsylvania Developmental Disabilities Council, for a grant in connection with the CITIPARKS 'Integration Initiative' providing for the execution of the Grant(s) and for the filing of requisitions and other data approving the Project providing for the required assurances; providing for execution of payment vouchers or letters of credit and for certification of authorized signatures and providing for the deposit of the funds in the Special Parks Program Trust Fund account."

Which was read.

Also,

Bill No. 2525

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the City Theatre Company, Inc., for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1991 and providing for payment of the cost thereof, which is not to exceed Twenty Eight Thousand and Nine Hundred (\$28,900.00) Dollars which shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation in the amount of \$15,000 and Code Account SPPTF (254359) Special Parks Projects Trust Fund in the amount of \$13,900, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 2626

Report of the Committee on Engineering and Construction for May 8, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2472

A Resolution entitled, "Resolution further amending Resolution No. 310, effective April 25, 1980, as amended by Resolution No. 327, effective April 16, 1981, as amended by Resolution No. 1007, effective October 14, 1982, as amended by Resolution No. 712, effective August 25, 1987, as amended by Resolution No. 202, effective April 3, 1989, as amended by Resolution No. 900, effective August 30, 1990, entitled, 'Providing for an Agreement or Agreements, with a Consultant or Consultants for Consultant Services in connection with the design of the Golden Triangle Computerized Traffic Signal System; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$30,000.00 from \$1,317,000.00 to \$1,347,000.00."

Which was read.

Mr. Ricciardi:

Mr. President, I'd like to make a motion to recommit this bill. Two of our colleagues have brought up two important issues. One

Councilman, Jim Ferlo, with the coordination of the infrastructure repair with our Planning Department and the business community. And the other issue was brought up by Councilman Dan Cohen looking into a device which will give safe passage for our emergency vehicles.

Director Sciulli was interested in both of the issues; however, I believe that this body is to begin to show leadership and have an imprint on the progress of our City and it would be good to talk to the Director of the Planning Department and the Chief of Fire at the Committee Meeting.

So, again, I move to recommit Bill No. 2472.

Mr. Ferlo seconded the motion.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

I move for reconsideration of Bill No. 2585.

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair:

Mr. Perry, would you please read that bill again?

Bill No. 2585

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of WAMO FM/AM, in the amount of Five Thousand Three Hundred Dollars (\$5,300.00) in payment for radio advertisements furnished for the benefit of

the City in connection with the EMT/Paramedic Training Program and providing for the payment thereof."

Which was read.

The Chair:

Because this is a warrant, it needs six votes and it only had five before. We'd like to re-vote on the issue.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 1

(MR. FERLO VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

The Chair presents

No. 2636 Resolution appointing Norbert V. Rebholz, 300 Suncrest Street, Pittsburgh, PA 15210, as a District 4 Member of the Pittsburgh Cable Communications Advisory Committee, to fill the unexpired term ending December 31, 1991.

Which was read.

Also,

No. 2637 Resolution appointing Celia Berman Shapiro, 6237 Monitor Street, Pittsburgh, PA 15217, as an At-Large Member of the Pittsburgh Cable Communications Advisory Committee, to fill the unexpired term ending December 31, 1993.

Which was read.

The Chair:

Is there a desire of any Councilmember to have any one of these two people come in front of Council?

Mr. Cohen:

I would like them to come before Council, Mr. President.

The Chair:

Okay, I would ask that we schedule that as soon as possible because we have two vacancies.

Michelle Madoff:

On another matter. Mr. President and Members of Council, would somebody give me the status, please, and let the public know, the status of the names that we have submitted for the Ethics Commission and the names for the Water Abatement Board and have they been appointed, because those are two very, very important entities.

We were asked to submit names. I submitted mine. I don't know what the status is; does anybody know?

I have no name to submit for the Reapportionment because I believe it should be a

professional. I don't know anybody, so I cannot submit a name for that.

What is the status of the first two that I mentioned? Does anybody know?

The Chair:

On all three -- Well, let's deal with the two, the Water Assessors and the Ethics, we do not have a full complement of people provided to the Mayor. Consequently, Councilman Ricciardi today has introduced a bill to amend the Water Assessor number of appointees necessary for the Mayor to choose. We may have to do the same with the Ethics Committee.

So, none of the Committees have been filled as of this date.

Michelle Madoff:

Mr. President, those Committees cannot wait. They are serious issues that should have been addressed a long time ago.

I don't quite understand, and I think the public needs to understand. Are you saying that every member of Council didn't submit a name; therefore, the Mayor doesn't have enough names?

The Chair:

Several members of Council submitted the same name.

Michelle Madoff:

That's fine.

The Chair:

Consequently, there wasn't a full complement of names.

Rather than us disagree on this issue, the cleaner and more simple way of dealing with it is to simply amend the bill.

Michelle Madoff:

Jack, I'm a little confused. Please, bear with me. This is very important.

What is a full complement? Does it mean that everybody had to have nine names? Why do we need nine names to choose from?

The Chair:

The bill states that.

Mr. Cohen:

At least with respect to the Ethics Bill, it states that there has to be nine members submitted by Council. We have eight right now; we're one short. I would say that if we don't get that last one soon, within the next couple of days, then we amend the bill. But I think that we'll have a complement of nine soon.

Michelle Madoff:

I can give you dozens of names. I just put one in because I thought that was the most qualified person and I believe you and I shared that name.

Mr. Cohen:

I've given more than one.

Michelle Madoff:

I didn't know it was appropriate to give more than one.

Mr. Cohen:

We need nine.

Michelle Madoff:

Alright, I wanted people to understand what's holding this up.

And on the Water?

Mr. Ricciardi:

I put in an amendment for the Water Exoneration Board which would change the original bill legislation that we only have to submit anywhere from three to nine names. We currently have six names, and again, the same thing happened; some people submitted the same name, and that was the hold up. It's not a reflection of this City Council at all; it's just a reflection that we're thinking the same along with certain people.

So, this amendment will be up for a vote tomorrow and I'm sure it will pass.

Michelle Madoff:

I certainly hope so.

The Chair:

On the Reapportionment Committee, I would ask all Councilmembers to give me that name by day's end. Most of you have but I'm still shy a couple of names.

Michelle Madoff:

Mr. President, with all due respect. I don't know anybody that I could recommend. I have one Republican and I asked her and she said no. That's Ruth Flamberg. If she would reconsider, I'd be delighted.

The Chair:

I'm sure you can submit a name, and you should. Or else we're going to have eight people on the Committee.

Michelle Madoff:

Everybody that I know that I think would be qualified is either working in the Mayor's Office, working for the City. Or the people I have recommended are independent people who do not work for anybody, they do this for a living. And I think that's who we ought to have.

I just don't know anybody. I've asked the one or two people who I thought — I would not put Bill from my own office; I think that's inappropriate. So, there I am. You have to have somebody who understands demographics. Why don't we go to the University?

The Chair:

You can recommend anyone to this Committee, as long as it is your choice.

Michelle Madoff:

I apologize but I have no one other than the people I asked and they said no.

Mr. Ricciardi:

I would like to recommend a name for Michelle Madoff, if she will allow me. She just said certainly, so I will be recommending two people, one from Michelle's district and hopefully one from mine.

Michelle Madoff:

No problem with that at all.

Mr. Milliones:

On a different matter. We just voted, Mr. President, on Bill No. 2496 and I must say that I have some questions as to why Port Authority cannot fund the Hill District Loop Bus as opposed to these funds coming from City coffers.

I'm not sure to whom this question should be addressed; it seems to me perhaps to the Port Authority. But can we send a letter asking them to reconsider full subsidy for the Hill District Loop Bus so that these funds do not come out of the City budget? I don't know the history of this, but it seems to me that it's a responsibility of the Port Authority as opposed to City government to make sure that people have Port Authority buses in an adequate sense in the Hill District.

The Chair:

Is that in the form of a motion?

Mr. Milliones:

That's in the form of a motion.

Michelle Madoff:

I will second it and I'd like to comment.

I would respectfully request that Mike Perry pull the history. It's not very difficult because I share, and I think you do too, Jack, the concerns of our colleague. We have felt that people should have this opportunity but for many, many reasons, I think predominantly it was the lack of ridership, we did not get that. And I can assure you that when I am Controller that will be one of the first audits.

Mr. Ferlo:

I can share some of the history, since I was part of the history.

This contribution from City government goes back to the early 70's, to the demise of the Model Cities Program. At that time, due to the effort of Model Cities and also that separate pot of money that was available, monies were allocated to the Port Authority specifically to underwrite and reduce the subsidy of the cost for the Hill Loop Bus.

In addition, there was the establishment of the 84E Oakland Loop Bus which was actually a new bus line added.

I waged this argument three years ago when I was first elected. My argument was, and all due respect to my colleague, Dr. Milliones, in terms of the Hill community, that that \$200,000 could better be spent supporting economic development initiatives along Center Avenue. And I resented the fact that we had to continue to support the Port Authority with this allocation. We don't do that for any other buses that are running throughout low-income neighborhood throughout the City. But the Port Authority continually would make the argument that if they didn't get this money, they're going to discontinue the route.

I want to point out to all my colleagues, as I said three years ago, if it wasn't for the inner-City bus routes, the 61s, the 71s, and the neighborhood routes, there wouldn't be the kinds of subsidy and revenues that the Port Authority has today. The suburbanites do not actually support the bus system with the bus transportation; it's all of our neighborhoods throughout the City of Pittsburgh that gives the Port Authority its revenues.

But I want to applaud Dr. Milliones for raising this issue again, and I hope that between now and the budget debate at the end of the year when we reallocate the Port Authority, we can have a little more reservation and dialogue on

these allocations of dollars.

The Chair:

Is there any further discussion on the Port Authority issue?

All in favor of sending a letter to the Port Authority, signify by saying aye. Opposed?

WHICH MOTION PREVAILED.

Mr. Regan:

Mr. President, as Chairman of the Public Safety Committee, I'm asking City Council to launch an investigation into the security measures and fire safety techniques being used in the various public housing facilities throughout the City of Pittsburgh.

During last week's fire at the Presley Street High Rise, I learned that the residents had been concerned about the lack of security on the premises and the failure of the Housing Authority, the operator of the building, to provide assistance in fire safety techniques.

I was advised that on the day of the fire there appeared to have been no security personnel on the premises. Thanks to the prompt actions of the Fire Bureau, they minimized the losses at the building. A catastrophe could have been the result and Council has a duty to investigate and to suggest immediate legislation, especially for those buildings that have a high percentage of senior citizens in residency.

Anyone who has seen the movie *Towering Inferno* can vividly picture the suffering that occurs when a high rise building burns. We will not sit idly and wait for that to happen in Pittsburgh.

I have spoken to the principal victim of

the Presley Street fire, Curtis Bogner, age 68, in whose apartment the fire started. Bogner was awakened at 6 a.m. by a smoke detector in his unit. He knocked on his neighbor's door seeking assistance, but by the time he could arouse anybody all of his belongings were destroyed in the fire.

Bogner, who is a retired restauranteer manager, was hospitalized for smoke inhalation and other conditions.

Bogner's problems in reacting to the fire were compounded by the fact that there apparently were no security people on duty at the time the smoke detector went off.

Bogner recently underwent three operations for cancer, and he lost his voice as a result. During the time Bogner was hospitalized for his most recent operation, thieves stole his 1982 automobile from the Presley Street High Rise Building parking lot. The vehicle was later recovered, but it was totally stripped and not driveable. To make matters worse, the City presented Bogner with a \$100 bill for towing and the car to be towed to the pound, and there was a \$5 a day storage fee.

I call upon the citizens of Pittsburgh to donate serviceable household furnishings and the like to Bogner so that he could resume living in the Presley Street Building.

I also request anyone who has a spare car, namely a 1982 of any type in good shape, to make it available to Mr. Bogner, who is on empty. He has no clothes, no car, no apartment, no nothing.

The Housing Authority contracts with a private firm to provide security at the Presley Street Building. As Chairman of the Public Safety Committee, I intend to find out why no one was on duty when the fire started.

It is only through the grace of God that we are not having a Coroner's inquest. The investigation will also look into this fire safety education that is needed for the senior citizens to live in these high rise buildings.

I know that the good people of Pittsburgh will respond to his needs. We are a caring community and we look out for those of us in need.

As for his transportation, if nothing else develops, I will make the famous Baldy Mobile available if nobody else wants to donate a car. The paint job will make it very, very hard to steal, but I can promise that he won't find broken windows during each election campaign. Broken windows on the Baldy Mobile are one of the casualties of war.

So, if you'd like to help Brother Bogner who is one of our good citizens and a man in need - I asked Doris Herman, an unsung hero on the North Side, who is the President of the Tenants' Council at Presley High Rise and she's a beautiful lady and all she has ever done is help people - And if anybody would like to help Brother Bogner, they can call 322-3509 and Doris will be waiting there for their call.

We also learned today that Brother Bogner does have an apartment; it's No. 911 and I thought maybe somebody might want to jump on the lottery early today.

The Chair:

Councilman Regan, what is that phone number again?

Mr. Regan:

The phone number is Doris Herman, 322-3509. We need a 1982 car, some clothes and some furnishings for 911.

The Chair:

In regard to the investigation, are you asking in the form of a motion --

Mr. Regan:

Yes. I'm making a motion that Council investigates this matter.

The Chair:

With the assistance of the appropriate City departments.

Mr. Regan:

Absolutely.

Mr. Ferlo seconded the motion.

Mr. Ferlo:

Just briefly. I arrived at the fire scene shortly after Mr. Regan had just left there early in the morning when the incident happened. But, as Mr. Regan has pointed out, rightfully so, apparently the security guard was not present, although he or she was supposed to be present at that time in the morning, I think it was 6:30. So, we have both asked for a report from Mr. Washington, Director of the Housing Authority.

And as Baldy has pointed out, in addition to knowing the whereabouts of this security individual who was not there, Mr. Regan has also asked for a detailed explanation from the Authority on what actually is in place regarding evacuation plans and high rise buildings. I think it would be good if we got that report from Director Washington who is going to respond. And maybe Mr. Regan, as Public Safety Chairman, would host a post agenda specifically dealing with this issue.

The Chair:

On the motion, all in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

On another issue, Mr. Chairman, very briefly. That is, it's my belief very shortly that Council will be in receipt of the so-called results of the Fire Study. This is the infamous expenditure, albeit a waste as far as I'm concerned, of \$195,000 to try to fix something that ain't broken, and that's the Fire Department.

The one thing I'm upset about, and I think Council really should express its concern on this regardless whether you're for the appropriation or against it, and obviously I was against it, what I'm upset about is that we're at the end of this study and throughout all the analysis, and again this study is being conducted by Ernst and Young, one of the large CPA national auditing firms, but throughout all of this study, and how many of us have been through this before, there's no input from any level of individuals, be it at lower levels of the Public Safety Department, no community input, no neighborhood organizations, community groups, no merchant groups, no business retail organizations, nobody in the City has been involved in any of the committees that have been established regarding coming up with data and reviewing information relative to this study. It's going to be the same kind of situation regarding Medic 13; it's going to be the same kind of situation regarding other closings of police and fire stations throughout the City over the years.

So where are we going to be? We're going to be at the end of the line. We're going to have this elaborate study. And, as far as I'm concerned, there's going to be a basic fallacy to whatever recommendations come out of that

study, and that is the lack of some practical community input, broad-based community input.

What is this Administration so afraid of? Why is this Administration so afraid to include citizens at various levels in this City on important boards, authorities and commissions? What is the problem with community people having some input into the design and the recommendations that will be formulated? Because, in the end, the study is not going to be worth anything; it's going to be worth a hill of beans. Because, in the end, if there is a need for consolidation, if there is a need for any other reconsideration of public safety, be it police or fire, if citizens aren't going to be involved in it, then where's the basis on which it's going to be accepted by the public? Other than having a propaganda tool for the editorialists, it's not going to be worth a hill of beans. I resent the fact that we supported this study, we've given it money, and there has been no effective community input.

I think Council should communicate to the Administration, and I make this in the form of a motion, that prior to the release and formulation of any recommendations, that there be some community input in reviewing the proposed recommendations.

Mr. Ricciardi seconded the motion.

Mr. Milliones:

Jim, the only thing I would say to that, if you say this study is no good anyway, why add citizens to it? If it's already an Administrative propaganda tool, why add citizens to it if it's useless?

Mr. Ferlo:

For one very good reason. Unfortunately, I believe that this study will guide the budgetary decisions of this Administration

when they reformulate their budget for later on this year, and this document will guide and probably affect the proposed closing of fire stations. And I resent the fact that the Administration is proposing to close or consolidate fire stations when, in fact, there has been no community, no Council input, no input from anybody in the at-large community regarding this study.

I'm trying to make the best out of a worst situation. If there is going to be a recommendation from Ernst and Young as a result of this study, I think there's a basic flaw in the methodology of this study and that is the lack of input involving people and what's going to happen in their communities throughout the City. So, I'm trying to salvage something that I think is a bad situation.

The Chair:

I'd like to comment because I sit on the Committee. I'm one of five, and Joe King from the Fire Fighters' Union is on that Committee also.

There has been extensive debate on a multitude of issues as a result of that study. That study and the recommendations that come forth, of which no one is sure what they will be yet, cannot yet be analyzed. And I have never known this Council to move forward on major changes in this government without having public input. So, I'm certain that at the appropriate time the public is going to be very involved in analyzing that study.

It seems to me like everyone is afraid to look at the study, and that concerns me because, ultimately, this Council will deal with it in a legislative budgetary sense.

Mr. Ferlo:

Mr. Chairman, with all due respect to your comments, this is the point of contention that I have. Let's not B.S. the public. The fact of the matter is that without Council, regarding our prerogatives on Council legislatively or even formulating the budget, the result of the study can actually be implemented by this Administration with or without City Council. If this study says that the Stanton Heights Fire Station should be closed, the Administration legally has the power and will institute whatever actions its going to take.

What I resent, is that before you publish a document that has formulated a series of recommendations, that part of that methodology be the including of valuable community input into the review of the data and other information, be it response time, other considerations.

Right now we have a Star Chamber Committee that nobody is involved in and, legally, whatever this study says, and if the Administration wants to hold it up as the official propaganda tool to give them the seal of approval on whatever they want to do, they legally have the power to do it, with or without City Council. We can budget 50 more police officers but if the Administration doesn't want to hire them, they, in fact, will not institute the procedure for hiring. The same holds true for whatever recommendations come out of the fire study.

The Chair:

An organizational analysis -

Mr. Ferlo:

Why would we be afraid to have community input?

The Chair:

You had the floor; now let me have the floor.

An organizational analysis of any aspect of government is not bad. The bottom line is what happens with it. We have not reached that point in this analysis and I may remind you -

Mr. Ferlo:

Mr. President -

The Chair:

I have the floor. You're out of order.

Mr. Ferlo:

Mr. President, if your involvement on the Committee is so important, so, I think, is the involvement of Public Safety or any of us who sit and represent Council districts or people from the community who are on zone safety organizations, people who have been involved in the Fire Department. The same holds true.

The Chair:

We have debated this issue extensively in Council when the bill was up.

I just want to add one final note. The Firefighters' Union recommended this study several years ago and that's part of the public record and you know that, Mr. Ferlo, because you were here then. This is simply following suit based on previous recommendations of the Administration of which the Firefighters' Union was reacting to at the time. There has been extensive information that has gone into this study.

I know you have been against it from the

start and an analysis of looking at our departments in City government is not bad. What ultimately happens could be good or bad.

Mr. Ferlo:

May I ask the President a question? Under your scenario, what, indeed, will happen or transpire once the report is concluded and recommendations are offered?

The Chair:

What will happen is, it will be submitted to this Council and to the Administration and to the public.

Mr. Ricciardi:

Mr. President, I supported the study and the allocation to the study, and I still support the study. I think it's very good when we take a step back and study each department. But I was of the understanding that this study would progress the way the study progressed for the Riverside Development where the community input and the neighborhood meetings will be part of the study and not just a critique of the study.

So, again, I supported the study, but I absolutely agree with my colleague, Jim Ferlo, that I thought this would progress like we did for the Riverside Development. So, I would like to see community input now and not a critique of the study, so I hope we have a vote on Councilman Ferlo's motion.

Mr. Cohen:

Mr. President, I agree with Councilman Ricciardi on that. I don't think we have a disagreement here on the substance of Councilman Ferlo's motion. There may be, and there probably will be, heated debate on the actual bill when it comes forward, the results of

the Committee's work. But on the question of whether there should be community input, I would like to see community input as soon as possible too.

What I don't want to see is what happened with Medic 13 where we were informed, very shortly before the budget was presented to this Council, that Medic 13 would be closed. I don't want to see that. If that's the ultimate resolution with respect to fire stations, so be it. But let's make sure that there is community input first.

Mr. Regan:

I understand there was a similar study done in 1985. I just wonder what happened to that study because I can't see spending \$195,000 that could be put into these communities if your bottom line is to close fire stations. If you're going to close them, pull up your drawers up under your chin and say, "We're going to close them." But you have to bring the neighborhood groups in. You have to bring the people that are involved, the people that are going to have to stand there when they can't get a fire truck.

Troy Hill, for example. They hit them with a fast ball last year, closed the fire house down, and opened it up to expediate matters at election time. There's a community there whose houses are this close together and the topography there is such that they need a fire house. We don't need some guy from California coming in and telling us, or any other place, into the City of Pittsburgh, to tell us what we're going to close down and what we're not going to close down. We have enough people in our City government that we're smart enough to make those decisions. And we can call public hearings and ask the people to come in. They understand.

I think it was a waste of money for the study and I want to know what fire houses they're going to close and when.

The Chair:

I just want everyone to understand clearly where I'm coming from on this. I don't want this to be a political issue.

There are people that die every year in this City in fires and this analysis pertains to fire prevention and fire fighting technique. And where I have come from as part of this legislative body representing all of you on this Committee, is for this consultant to recommend to this Council how we, through legislative matters, can improve the fire safety in this City.

It hurts me when I look at the morning paper and see mothers crying because their children have died in fires. And if this government could be more responsive to reduce the potential of loss of life, we should be. And if everyone is afraid to look at an organizational analysis to determine how that can be done, well then, I don't think we're properly representing the people.

So, we're talking about two different things here. I'm in support also of public input, and we can have all the public input in the world and I'll vote in favor of this motion. But at the same time, we constantly have to look at how we can reduce the potential of fire and how we can better fight fires. And I hope no one is afraid of that analysis.

Mr. Ferlo:

Mr. President, if I can respond. First of all, I agree with you totally, and that's why I respect your involvement on this Committee, and that's why I respect what you just said in terms of what your view is of why this study is needed. I can respect that and I wish that were the view of the Administration.

The Administration's view is to the contrary. The Administration had a foregone conclusion and a mindset going into this study. That foregone conclusion, as expressed by leadership including Director Cannon, was two things; one, that certain fire stations needed to be closed; and two, that we have too many firefighters, the 800 number plus, and that should be reduced. That was their view going into the study.

I wish that their view was your view because then I think we'd have a fairer study and we'd have a document that we could win community support to re-evaluate and look at new directions in the future.

I agree with what you said. The problem is that we have an Administration that did not share that view going into the study.

I'm only saying that it's never too late to seek out community input, be it merchants in districts who have a concern about fire response, be it community groups, be it other levels of Public Safety rank and file, people who have an input, people who have on the job experience and can share things that even you and I don't know about the operations of the Fire Department.

I'm only saying prior to the formulations and the recommendation and the issuing of reports, that the Administration make an effort to have some community input. That's basically the gist of my motion.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen

Mr. Ferlo

Mr. Milliones

Mr. Regan

Mr. Ricciardi

Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Michelle Madoff moved to approve the Minutes of Tuesday, May 7, 1991.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Milliones moved to excuse Mr. Darkins for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Milliones:

I move to adjourn this meeting and meet again on Monday, May 20, 1991 at 2:00 p.m.

Mr. Cohen seconded the motion.

And on the motion of Mr. Milliones

Council adjourned.

MUNICIPAL RECORD

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No. 21

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Monday, May 20, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. DARKINS

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ricciardi presents

No. 2663 WHEREAS, The Brashear Association has provided vital human services to South Pittsburgh communities since 1917; and

WHEREAS, the Association has always depended upon the dedication, commitment, and services of countless volunteers drawn from the communities it serves; and

WHEREAS, every program of the Association benefits by the contribution of volunteers; and

WHEREAS, every Brashear volunteer plays an important and unique role in the total growth and vitality of the agency and the communities it serves.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and applaud the commitment and service of the volunteers of the Brashear Association and the communities it serves.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi presents

No. 2664 WHEREAS, the Design Review Committee of the South Side Local Development Company has selected Award of Merit winners from the participants in the 1990 Streetface Program; and

WHEREAS, the award winners were selected for facade rehabilitations to their places of business; and

WHEREAS, this Streetface Rehabilitation is funded by the Urban Redevelopment Authority; and

WHEREAS, the Award Winners are as follows:

- David Stevenson, Certificate of Award for New Construction for 1915-1921 E. Carson Street
- Rebecca Einhorn, Certificate of Award for Restoration for 1101-1103 Bingham Street
- William E. Neiderberger, Certificate of Award for Restoration for 1910 E. Carson Street
- Ben Zutnick, Certificate of Award for Transportation for 1735 E. Carson Street
- Cynthia Esser, Certificate of Award for Rehabilitation for 1122 E. Carson Street
- John Martine and Mary Jane Schmalstieg, Special Certificates of Award for Contribution to the Preservation of Pittsburgh's Historic South Side.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the winners of the Awards as well as all of the participants in the Streetface Program.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

I would like to ask Bill Backa, Public Relations Director for the Pittsburgh Folk Festival, and the people he is with to please step forward to receive this resolution.

We have some adults and some beautiful children that will be performing at the Folk Festival this coming weekend.

It's an honor to present this resolution on behalf of the City Council for the Pittsburgh Folk Festival.

The Chair presents

No. 2665 WHEREAS, the spirit of Pittsburgh's diverse, strongly bonded ethnic communities will unite in celebrate at the 35th Annual Pittsburgh Folk Festival, to be held at the David L. Lawrence Convention Center, Friday through Sunday, May 24-26, 1991; and

WHEREAS, the Pittsburgh Folk Festival is sponsored by Robert Morris College in cooperation with the Pittsburgh's multi-cultured ethnic community, the 35th edition of the festival will center around the theme: Celebrate! Celebrations from Around the World; and

WHEREAS, visitors to the festival will witness magical ethnic celebrations and experience cultural diversity, from a Caribbean Carnival to a Greek Glendi. People of nationalities will express their individuality and share their culture's special foods, rituals, ceremonies, customs, crafts, music and dance; and

WHEREAS, the Pittsburgh Folk Festival is designed to encourage understanding and appreciation for Pittsburgh's unique and rich

ethnic heritage and to unite people in common values.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all involved with the 35th Annual Pittsburgh Folk Festival and encourages the people of Pittsburgh and the Tri-State area to attend this magnificent event.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Again, this festival is being held this coming Friday through Sunday. The hours are, on Friday 4:00 to 11:00, Saturday, the 25th, from 1:00 to 11:00, and Sunday, the 26th, from 1:00 to 9:00 p.m.

The Pittsburgh Folk Festival is sponsored by Robert Morris College as a community service event and the Festival is also sponsored by Iron City Beer, Blue Cross of Western Pennsylvania, The Pittsburgh Vista Hotel, and WTAE-TV and Radio.

It's an honor to have all of you here today. We have Bill Backa who is the Public Relations Director. He may look familiar to many of you. He was previously employed by the City of Pittsburgh in our Parks and Recreation Department.

Bill, I'd like you to come up here and introduce these beautiful people and tell us a little more about the Festival.

Mr. Backa:

It's a distinct privilege and honor to be

here today being recognized by Council, so we want to thank you.

At the same time, this is just a small sampling of the 19 different ethnic groups which will be comprising the Pittsburgh Folk Festival. We have Stella Athanasiou with her grandsons, Andrew and George; and Kathy Watson with her granddaughter, Katie, here.

There will be a lot of folk dancing, foods, and different aspects of 19 different ethnic nationalities. So, we invite you to attend; you have some tickets.

Again, thank you very much for this honor. We appreciate it.

Mr. Ricciardi:

Mr. President, if I may just for a second. I want to congratulate the youngsters; they look very attractive in their outfits.

I'd like to commend Mr. Bill Backa. Bill Backa recently resigned from the City of Pittsburgh. He spent several years in the Department of Parks and Recreation. He was always a dedicated City employee and we wish him the best in his new position. Thank you, Bill.

The Chair:

Thank you all for coming. We look forward to seeing you at the Convention Center.

Mr. Regan:

Mr. President, these young people are all from the North Side.

Michelle Madoff:

What's your last name?

Mrs. Athanasiou:

Athanasiou.

Michelle Madoff:

You don't understand. We're all ethnic.

The Chair:

Thank you all.

Michelle Madoff:

Could I please ask Mr. Duncan to come forward? This resolution gives me great pleasure.

Michelle Madoff presents

No. 2666 WHEREAS, the City of Pittsburgh wishes to commend Leonard Duncan, Director of the 1991 renamed City of Pittsburgh Marathon, for his leadership, dedication and enthusiasm; and

WHEREAS, Leonard Duncan began his 30 year employment with the City of Pittsburgh in the Department of Parks and Recreation in 1961, and worked as a City parks supervisor until his appointment as Director of the City of Pittsburgh Marathon; and

WHEREAS, throughout his tenure as an employee and volunteer, Mr. Duncan has organized many events, including football leagues, a bike path from Schenley Park to Highland Park, the Jesse Owens track and field competitions, a benefit golf tournament, and much more; and

WHEREAS, working under the leadership of former Director Louise Brown, Mr. Duncan was instrumental in organizing Pittsburgh's first Great Race, and was responsible

for coordinating street security, police, fire and emergency rescue for the first marathon race held in 1985; and

WHEREAS, Mr. Duncan initiated a 10 kilometer 6.2 mile fun run in addition to the 26.2 mile marathon which enticed other Pittsburgh athletes to participate; and

WHEREAS, this year's race continues to enhance Pittsburgh's reputation and will serve to attract elite athletes from across the world for future events.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby thanks Leonard Duncan for his 30 years of service to the Pittsburgh residents, and extends best wishes to him for continued success in all his future endeavors.

Michelle Madoff moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

You took over a very tough job under very tough conditions, and I think you did a tremendous job and I know it will grow and be better in the future.

Mr. Duncan:

Thank you, Mrs. Madoff.

Michelle Madoff:

Michelle.

Mr. Duncan:

Michelle. Mr. President and Members of

Council. It is indeed a great honor to be here this afternoon to receive this proclamation. However, I would be remiss not to introduce you to my best friend, Ann, who is my wife also. Not necessarily in that order.

However, I am truly grateful for having the opportunity to be here and I'm thankful to God for giving me the time to be here because, as you know, and you probably can recognize that none of this could have happened without his blessings and the prayers of a lot of people.

However, I have received one other proclamation in 1989 that I thought was really the epitome of my career, and that was when the Prime Minister of Canada gave me a proclamation for my contribution to the amateur athletes of Ontario. My wife and I were invited up to St. Catherine's to receive this award and I thought, "Well, this is really great."

But now, this afternoon, I feel a lot different. I feel that this is the greatest proclamation that could have been given to me or the greatest thing that could have happened to me because it's given to me by my hometown people. It's given to me by the people who have recognized what I have done here in my own hometown, and I'm grateful of that.

So, on behalf of my wife, my family, and all my co-workers, I'd like to say to Council and Michelle, thank you and may God bless you all.

Mr. Coyne:

Mr. Chairman, on a personal note, I'd like to thank Mr. Duncan for his leadership he showed many years ago when he coached me playing sandlot football for Hazelwood. He has been part of the community and he was my coach a lot time ago and he's still showing the same leadership ability and I'd just like to commend him personally for his attainments.

The Chair:

Thank you all.

Mr. Cohen presented

No. 2638 Resolution amending Res. No. 1049, eff. January 1, 1989, as amended, entitled "Resolution adopting and approving the 1989 Capital Budget and the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program", by increasing line item EC 89-11, Audible Traffic Signals, by \$26,000.00 from \$20,000.00 to \$46,000.00.
---(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Engineering and Construction.

Also,

No. 2639 An Ordinance supplementing the Pittsburgh Code, Title 4 - Public Places and Property, Article I - Streets and Sidewalks, Chapter 416 - Obstructions, Section 416.01 Minor Street Obstructions; Permit Required, and Section 416.03 Street Encroachments and Major Street Obstructions; Permit Required, by requiring notice of abutting and adjoining property owners.
---(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Public Works.

Also,

No. 2640 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of the Chadwick Outdoor Recreation Area, at a cost range of \$100,000.00 or more, but less than \$220,000.00, payable from CDEC 88-44 - \$20,000.00 and

CDEC 90-134 - \$200,000.00.

Also,

No. 2641 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Willie Stargell Park at a cost of \$100,000.00 or more, but less than \$200,000.00, chargeable to and payable from Code Account CDEC 90-135.

Also,

No. 2642 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the purchase of Equipment and Renovations to the City-County Building, Department of Finance, Second Floor at a cost of \$500,000.00 or more, but less than \$800,000.00, chargeable to and payable from Code Account EC91-403.

Also,

No. 2643 Resolution further amending Res. No. 1415, eff. Jan. 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by providing funding for EC-403 (Renovations to Finance Department Offices).

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Ferlo for Mr. Darkins presented

No. 2644 Resolution amending Res. No. 7, eff. Jan. 23, 1991 entitled, "Resolution providing for an Agreement or Agreements or the use of existing agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh eff. Jan. 1,

1991 and providing for the payment of the cost which is not to exceed \$650,000, chargeable to and payable from Code Account 1176, Misc. Services, Dept. of Environmental Services. The total of \$650,000.00 is for administration, market city neighborhoods and lot clean up services in relation to educating the public on litter", by increasing the allocation by \$50,000.00 from \$650,000.00 to \$700,000.00.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 2645 Resolution providing for the letting of a Contract or Contracts, or for use of existing Contracts for the furnishing and delivery of sideloading refuse containers for use in conjunction with Emco or equivalent, sideloading refuse compaction vehicles for the Department of Environmental Services, at a cost not to exceed \$40,400.00, in accordance with the laws and ordinances governing the City of Pittsburgh, payable from Code Account No. 1175.

Which was read and referred to the Committee on General Services.

Also,

No. 2646 Resolution granting unto M & T Partners, 1200 Reedsdale Street, their successors and assigns, the privilege and license

to construct, maintain and use at their own cost and expense, the grading and paving of a portion of the roadway of Boyce Street and Sproat Way in the 21st Ward, 6th District of the City of Pittsburgh. This request is made by M & T Partners due to the remodeling of their building. They would also like to upgrade these two streets for their use.

Also,

No. 2647 Resolution granting unto Robert O. Masteller, 255 Lelia Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an off-street parking area on a portion of the right-of-way of Oldham Street in the 19th Ward, 4th District of the City of Pittsburgh. Mr. Masteller has asked for this encroachment due to parking problems and this additional space is needed.

Also,

No. 2648 Resolution vacating Watson Way from Forbes Street to Watson Street in the 4th Ward, 6th Voting District of the City of Pittsburgh. The petitioners, Lexicon Properties, Inc., 930 Grant Building, Pittsburgh, PA 15219 have requested this vacation for expansion purposes. The Department of Finance recommended a fee of \$300.00 be charged for the vacation.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2649 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1991-1992 Community Development Block Grant Program

at a cost not to exceed \$8,545,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ricciardi presented

No. 2650 Resolution authorizing the issuance of a warrant in favor of the Pittsburgh Hilton and Towers, in an amount not to exceed \$10,894.16 in payment for the Citiparks Senior Center Program Volunteer Recognition Gala, chargeable to and payable from Code Account SCPTF, Senior Citizens Program Trust Fund, Department of Parks and Recreation.
(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 2651 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the installation of a playground safety surface for the Department of Parks and Recreation at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account 3-10-10-1710-91, Play Area Safety Improvements, Department of Parks and Recreation.

Also,

No. 2652 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for fence repairs for the Department of Parks and Recreation at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 3-10-10-1655-91, Fence Repairs, Department of Parks and Recreation.

Also,

No. 2653 Resolution providing for the

letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs for the Department of Parks and Recreation at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account 3-10-10-1700-91, Concrete Repair to Parks Facilities, Department of Parks and Recreation.

Which were severally read and referred to the Committee on General Services.

Also,

No. 2654 Resolution providing for an Agreement or Agreements with Pepsi-Cola Company for the purpose of providing play equipment at no cost to the City for the benefit of the residents of the City of Pittsburgh.

Also,

No. 2655 Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation at a cost not to exceed \$600,000.00, chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program, Department of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 2656 Communication from David J. Bowman, Controller, Three Rivers Stadium, submitting a list of employees of the Stadium Authority for the year 1990.

Also,

No. 2657 Communication from Thomas

Flaherty, City Controller, submitting the statement of revenues and expenditures for the City, Traffic, and Housing Courts; including Night and Animal Courts of the City of Pittsburgh for the year ending December 31, 1990. In accordance with Resolution No. 238 of 1991.

Also,

No. 2658 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the paving of paper alleyways in the 29th Ward, City of Pittsburgh. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 2606 Resolution appointing Clarence E. Perkins of 3676 Chartiers Avenue, Pittsburgh, Pennsylvania, 15204, as the Director of the Department of Water, effective on or after May 31, 1991.

Which was read.

Mr. Coyne moved to approve the appointment.

Mr. Ferlo seconded the motion.

Michelle Madoff:

I'd like my comments brought forward.

The Chair:

I'd like my comments brought forward also, please, for the Record.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MICHELLE MADOFF'S AND MR. WAGNER'S COMMENTS ON APPOINTMENT OF CLARENCE PERKINS AS DIRECTOR OF WATER, WEDNESDAY, MAY 15, 1991)

Mr. Wagner:

Mr. Perkins, I appreciate you coming to my office yesterday and having an chat about many of my concerns and I want to state up front that previously being on the Water and Sewer Authority and back three or so years and then moving to ALCOSAN, there is a lot of interaction and Mr. Perkins has played an important role getting some of the management people within the Water Department talking, communicating, dealing with problems with the people at ALCOSAN because the billing at ALCOSAN is nothing more than a mere reflection of what is produced by the City of Pittsburgh therefore, no matter how many problems exist within the city, those problems then eventually end up in the billing process at ALCOSAN.

Consequently, the more all of you communicate and get appropriate billing within the Water and Sewer Authority and the Water Department, the more accurate the whole system is and you have played a very important role in enhancing communications there.

I wanted to ask you in regard to the bulk bills, and I don't know how many thousands there are out there. I know Councilwoman Madoff has talked about it for years, that issue being the Chairperson of the Water Committee. What is the plan within the Water Department related to the Water and Sewer Authority financing to meter all of those unmetered locations?

Mr. Perkins:

We have a project going on right now, it's a three-phase project where we're going to go and convert the flat accounts to metered accounts. The first phase would be the situation where we have about 750 flat accounts that need meters cut into existing service lines and that contract should be awarded probably next month to start the work probably in July. That's the first phase. The second phase will begin immediately after that to lay service lines on about 1,000 homes where there is no existing service lines and with those service lines we'll lay meters also.

The final phase will be a much more elaborate phase where we need service lines, meters and mains where we have to go in and actually lay new links of mains probably in rears of the homes to connect them to service lines in the meters. Altogether we have about maybe 2,000 accounts where we'll do that and the entire program will probably wrap up in two years or so.

Mr. Wagner:

So you anticipate to have the whole city metered in two years.

Mr. Perkins:

We will probably have the whole city metered in about two years with 95 percent of those accounts removed and probably the remaining five percent would be situations where the meters are on outside vaults, we call them crocks, which you can't remote and that plan is to eventually move those outside crocks inside the home and obviously remote those. So probably in three years you'll have the whole city remotod so we'll get actual readings to a higher degree.

Mr. Wagner:

Now you have obviously big accounts, major industrial accounts, commercial accounts, residential accounts, where the volume of water is drastically different that's utilized. The bill process today and I know you've been very much involved in this, is that every account receives a bill every three months, correct?

Mr. Perkins:

Yes.

Mr. Wagner:

Have all of you considered and I guess I'm asking you as a future director, considered billing of the large accounts on a monthly basis to get a better flow of revenues into the system and simply to have more accurate readings?

Mr. Perkins:

We are planning to do that. As a matter of fact we had a target starting date of monthly billing commercial and large users, but because of other things that have happened in the Water Department, that target date is probably bumped back to the fourth quarter of this year. We will begin to bill large users on a monthly basis. We have had a lot of requests from the users themselves to do that.

Mr. Wagner:

Good, because all major utilities do that. They don't do that on residential accounts -- some do on residential accounts and some don't but not in water and I'm not proposing that but where you really have a large industrial client using large volumes of water, our cash flow and the interest gained on the

money in-house can potentially reduce the need for future rate increases if we have that cash flow and I'm pleased to hear you're working on that.

Mr. Perkins:

We have about 1800 customers that will be converted to monthly.

Mr. Wagner:

Okay. One last item, marketing our water. Do you anticipate yourself playing a role with the Water and Sewer Authority to try and sell our water of which we have an over abundance of water to other communities and if so how would you intend on doing that?

Mr. Perkins:

I see my role as being a provider. I think the Water and Sewer Authority along with its new Executive Director will take a very active position in selling and marketing water and there has been some discussion already in that vein, so I need to provide services to the new customers and that is the role I need to play. I think that is at the Water and Sewer Authority's level and I think they'll do a good job of that.

Mr. Wagner:

I know Mr. Ricciardi sits on the Water and Sewer Authority and Councilwoman Madoff is the Chairperson of that committee.

I really think we have a take a more aggressive role there somehow. I'm not sure, maybe it's hiring a consultant to sell our water but we have double the capacity that we utilize and consequently the more water we can sell, the less the rates have to be for the people that are using the water because it gets cheaper as you sell more and maybe we need to develop a program where if we were to hire a marketing company to contact various municipalities that cannot produce their water as cheap as we can.

Mr. Perkins, I have always felt you have been extremely responsive and professional since I have known you in working within city government and you have certainly have my vote next Monday.

Mr. Perkins:

Thank you.

Michelle Madoff:

On another note. Mr. Perkins and I just chatted and while I have the utmost respect for him as an individual, I'll repeat our conversation. Not all of us can be brain surgeons and not all of us --

Mr. Regan:

-- I resent that remark.

Michelle Madoff:

That you can't be a brain surgeon?

Mr. Regan:

I resent that remark.

Michelle Madoff:

I haven't made a remark yet, may I finish?

Mr. Regan:

I resent it.

Michelle Madoff:

Not everybody can be a brain surgeon, not everybody can be a typist. I type 100 words a minute and I can't spell. We all have shortcomings.

The Water Department had some very serious problems -- a lot worse problems than they have now. We have seen some significant improvements and I would not be telling the truth if I didn't say that. And I truly believe that much of it has come because of my interaction with the directors and particularly with Mr. Turner and the Administration.

Items like having the meter readers going door to door and taking a list that has a block and lot number so that when you get to a lot and you just bypassed it previously, you said, "My goodness, there isn't a house on here anymore" so we made a note that there was a vacant lot. Or we went by a house and there wasn't a meter and we made a note of it.

The Water Department is a cash cow. The Water Department is a major source of revenue for the City and while it should be, we own it, we created it, we built it, we paid for it and we lease it. It's a lease-back arrangement as you understand.

The kind of thing that I am very distressed about is that I did a study in my office and it took three years and it addressed the issue of flat water rates and I think that's one of the things that you touched on. Flat water rates are people who are on joint lines. And we were promised -- I didn't hold a press conference and I didn't say we did this study and aren't we wonderful. I went to the head of the Water and Sewer Authority and it was Mr. Roddey and he came to this table and he said we will clean that up in a year and now you've told us that you're going to be issuing some contracts on the flat water rates and it will be two years before it's done, so people understand. If you're a senior citizen living in an old antiquated house and you're living there alone your mortgage is paid off and you probably use very little water, you're paying more money than people that live in Inverness in the heart of Squirrel Hill because they count your faucets and your tubs and your johns and what have you. That issue was promised and our word was given by the Administration, word was given by the Water Department and we didn't live up to it and I am very disappointed.

Let's talk about another issue. We have an outstanding delinquent account that used to be \$18 million. I think it's down to \$12 million because we're purging the records. Records that needed to be purged but there was no policy in how to purge them. We didn't separate our residential from our commercial, our commercial from our industrial. I had a tear-out sheet that had everything on it. and I would look and I would see somebody owes \$30,000 and I would pick up the phone and I'd say, "Mr. Jones, do you know that your facility owes \$30,000" and he said that was a mistake and then put the Director on the line. And Alex (Sciulli) got on the line and said it isn't \$30,000, it's \$65,000.

The point I'm making is that \$12 million minimum is still outstanding in the Water Department. Thirty percent of the people who have water bills -- 30 percent of the people say that they don't pay their water bills and nobody has ever done anything about it and so I have begged and pleaded and the Administration has responded and you've responded and others. We have got to start to shut off. Why? Because why should Mrs. Jones who is on welfare pay her bill or somebody else on a fixed income when there are businesses that don't pay. Why should we permit people whose water meters haven't been read who say we won't give you access? There has never been a process set up --

Mr. Ricciardi:

-- point of order, Mr. Chairman. If Mr. Perkins can please respond to some of the questioning.

Michelle Madoff:

He is.

Mr. Ricciardi:

He hasn't responded yet.

Michelle Madoff:

I'm making a statement about the Water Department and the status of the Water Department and if you will bear with me you'll see my point.

Mr. Regan:

Mr. Chairman, I don't think this is fair to Mr. Perkins.

Michelle Madoff:

It is fair. Mr. Perkins is taking over this department. It is fair.

Mr. Regan:

You ought ask him a question.

Michelle Madoff:

Let's stop defending Mr. Perkins, he's very capable of answering the questions himself.

The Chair:

Do you have any questions of Mr. Perkins?

Michelle Madoff:

I told Mr. Perkins today that perhaps one of the problems is that Mr. Perkins has not been his own person. It is a different thing to work for somebody than to be running the show and I would be an unfair person if I didn't say I would support him 1,000 percent in giving him the opportunity to be his own person and to see if we can correct what I think are terrible situations in the Water Department.

I have told him also that I will be watching very closely. And he's promised me that he's no longer going to put out press releases saying "we took in one-half million dollars in six months" when I took in one-half million dollars in two days. So we're going to work together, we're going to adopt some of the other recommendations that I've made and I'm going to wish you the best of luck. And I think I've made my point and I think

that what my point needed to be made -- we have a responsibility to the people who elected us and I think they need to know what the status is and I don't appreciate being cut off. All the men editorialize, today I editorialize.

Mr. Regan:

I love you, Michelle.

Michelle Madoff:

Don't love me, vote for me.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Ricciardi:

I would just like to say that I take great pleasure in voting for Clarence Perkins for the position of Director of the Water Department. I think he has demonstrated leadership in the past and I think the promotion is a good sign for all City employees that if you work hard, you learn the job, there's always an opportunity to be promoted. It's my honor to vote for Clarence today.

Mr. Regan:

I would just like to say that he's one of the finest guys that I have seen come before us in Council. He's not only a bright young guy, but he has a lot of class and, over and above all that, he's a good basketball player.

Mr. Cohen:

Mr. President, very briefly. Mr. Perkins and I had a very productive conversation in my office last week and I was impressed by his grasp of the issues and I look forward to him doing a lot of the things that he talked about there.

Michelle Madoff:

Being the fair-minded person that I am, I always believe in giving a person a chance to be their own person. Mr. Perkins has not been in charge so you cannot sometimes blame the sins of other people on someone else. I have told him that I will be monitoring the Water Department very closely, whether it's from City Council or from the Controller's Office. It is still in dire need of straightening out.

There's still \$12 million owed. There's still 30 percent of the people who don't think they have to pay their water bills. But Mr. Perkins has given me his word that he's going to work on that, we're going to work together, and I'm going to be

as supportive as I possibly can and I hope he's a great success.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Coyne

Mr. Ferlo

Michelle Madoff

Mr. Milliones

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 7

NOES none

(MR. REGAN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Perkins was approved.

Also,

No. 2607 Resolution appointing Reginald B. Young of 925 Wellesley Road, Pittsburgh, Pennsylvania, 15206, as the Director of the Department of Parks and Recreation, effective on or after May 31, 1991.

Which was read.

Mr. Coyne moved to approve the appointment.

Mr. Cohen seconded the motion.

Mr. Ricciardi:

Discussion. First of all, I would like to commend Mr. Young for his many years of dedicated public service to the City of Pittsburgh. However, today we are not here to vote for a resolution for Mr. Young, rather a position, the directorship of the Department of Parks and Recreation.

After extensive questioning of Mr. Young last week at our Committee Meeting, unfortunately, I found him to be unresponsive and not prepared for the job interview.

Also, after reviewing the transcripts, Mr. Young was not familiar or prepared to talk on the Operating and Capital Budgets of the City of Pittsburgh. I found him to be very vague at best about certain key policy questions.

Over the weekend I had the opportunity to think about this nomination by the Administration and I really believe that Mr. Young was not really interested in the job. Instead, he was recruited for the position and, because of his past loyalty to the City of Pittsburgh, accepted that position.

If you really review the transcript or the tape, you'll see that Mr. Young had ample opportunity to discuss departmental priorities. But, unfortunately, expressed none.

It's obvious to me that the nominee lacks the qualifications of the job. He has no formal training or on the job experience, or job-related experience when it comes to recreation.

Also a very important aspect of the Department of Parks and Recreation is pre-school all the way up to the elderly, and Mr. Young has no experience either working with our children or young adults or the elderly.

A very controversial issue that has arisen over the past few months is the maintenance of the parks. In questioning Mr. Young, when I asked him if he thought we should keep our laborers in Parks and Recreation or if we should look for a unified type of system, Mr. Young immediately answered, "Yes, labor should be in the Department of Parks and Recreation." The follow up question showed that he had no experience in maintenance or he had a reason for it.

I find it very disturbing that Mr. Young said that he was going to be relying so heavily upon our deputy directors. Yes, it's true what Mr. Young said - "A good administrator looks for direction from the deputy directors." But a good administrator of any department or company has to have a feel for that business, has to have control or know how the operation functions.

I believe that if he is nominated that it would actually be on the job training, training that's paid by the taxpayer.

As an elected official, it's my responsibility and obligation to always protect the interest of our taxpayers. And I think the interest in this case is to have the best possible person in that position, and I'm sad to say that I don't believe it's Mr. Young.

After discussions with my colleague, Mr. Ferlo, I did mention, and Mr. Ferlo agreed, that he's a very sincere man and I think he's a very good man. And he has done well in the Parking Authority and he specifically helped my constituents in District 3 with parking studies. But that does not make him a candidate, or that does not make him a Director of the Department of Parks and Recreation.

So, I will respectfully be voting no on Mr. Young and I thank my colleagues for their time.

Mr. Ferlo:

I respectfully have to disagree with my colleague, Mr. Ricciardi, on this appointment. If anything I think what the Parks and Recreation Department needs is exactly Mr. Young. Mr. Young has demonstrated in several areas that he is a priority for this job.

I think what the Parks Department needs right now is not someone coming in from the outside, from out of town, or even outside the system, but somebody who really knows what's going on in City government and somebody who has demonstrated at least two things: One, the competency to be a good administrator. Somebody who can go in there, take the bull by the horns, and straighten out some very serious problems at the management level, especially as it relates to the maintenance and the auditing of the quality of all of our parks throughout the system.

As long as I have worked with Mr. Young which is at least 10 years in the City, he has demonstrated a great ability to be a good administrator. As far as I'm concerned, and no disrespect to all the previous administrators in the Department, and certainly not the last Director, but I feel that Department has not been managed properly and I think Reggie Young will begin to get in there and turn that around and somebody who can put his fingertips on all the other resources within City government, and outside City government, to tap whatever resources are needed to better manage the parks.

The other thing that I think lends quality to Mr. Young's appointment, and I know this from first-hand experience, not only working with him on the Housing Authority Board, but in his years as a community planner with the City Planning Department, is that Reggie has two specific qualities, and that, I think, is a key understanding of the role of community input,

whether it be at the decision-making level and helping to formulate programs, or at the level of trying to have an impact on participating and proving our park system.

I think Reggie will be one person that will be out there in the community actually enlisting the support of the community at every level of the park system. And I think that's what we need and, unfortunately, we haven't had that in the past. The Department has been bureaucratic, too insulated, and I think Reggie will make a contribution in that area.

The other thing, and I have seen this first-hand in the Housing Authority, Reginald is very good at the issue of conflict, dealing with a situation where there's a lot of conflict and a lot of people disagreeing. He has the personality, he has the skills to come in and really help deal with conflicts that are going to arise. And if the Department is going to go through changes and begin to do consolidation or erect new kinds of facilities, close other facilities, you know, we're at that point now where that kind of activity is going to be going on in the parks system and I want somebody there who is not only a good administrator but is actually going to enlist community input in some of the hard decisions that have to be made, and somebody who has the kind of personality and the skills to deal with conflicts that are going to arise.

For all those reasons, I actively support Mr. Young's appointment.

Michelle Madoff:

As much as it pains me, I do, indeed, agree with Mr. Ferlo and respectfully disagree with my good friend, Mr. Ricciardi.

Mr. Ferlo:

Do you want a Rolaid or something? You

can agree with me.

Michelle Madoff:

It hurts.

You don't need a brain surgeon to run a hospital. The thing that Reggie offers is really an in-depth understanding of how each department works, interacts, and he's an effective administrator.

But he has the most important quality; he has been around this City so long that he understands how each department functions. He has a keen understanding. He understands how the operate, how they interact, so that he can be effective.

This sounds like my own speech for Controller, but it's the truth.

The kind of questions that were asked by Mr. Ricciardi, in many instances, were textbook questions like the Q and A the Press gave.

I think Louise Brown was an outstanding administrator. I feel that it's not appropriate to say that things are going to be better because she's gone. I think she was excellent.

Mr. Reggie Young, who I have worked with and has helped me personally with a program that I tried to get going which was the Literacy Program, went far beyond the call of duty and he helped people who really -- There was nothing in it for him, it was not part of his job. He cares about people. And what he's going to offer us is people who have very keen specialties, sub-specialties, in Parks and Recreation because no one can be all things to all people. People have skills. I make a terrible secretary; I type 100 words a minute and I can't spell, but neither did George Bernard Shaw.

The point being, I think we should go ahead and use the talented person that we have in Reggie Young and let's give him a unanimous vote because we need to send him off with our support and say, go to it and do the job that has to be done.

Mr. Regan:

I think that he's an outstanding man. I think he's done an excellent job for the past 18 years and I'm going to vote for Reggie Young.

The Chair:

I am supporting Mr. Young. He made one key statement, I thought, at our Council Meeting, which was that his emphasis would be on operation and maintenance in the parks. And we all know that in the past, special events seem to have received more attention than the operation and maintenance, not to say that that was altogether bad. It brought a lot of good attention to the City but the time is now for focus on operation and maintenance and Mr. Young has said he will do that.

I would like my comments brought forward for the Record on this.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. WAGNER'S COMMENTS ON APPOINTMENT OF REGINALD B. YOUNG AS DIRECTOR OF THE DEPARTMENT OF PARKS AND RECREATION, WEDNESDAY, MAY 15, 1991)

Mr. Wagner:

Mr. Young, congratulations on your nomination. I have a few questions, not many because my colleagues covered a far majority of the issues.

A follow-up of Mr. Ferlo's suggestion in terms of touring the facilities and I'm sure you've been over the years at many of them. I think it's a good idea to get an update and I would suggest that you take the Councilmember from that district with you because I'm a firm believer that us Councilmembers know that district as well as anyone knows it and maybe we can tie in some neighborhood groups and athletic associations, people that really know our recreational facility very well and keep us informed about them so I would hope you would do that as soon as possible.

Your background, I've read your resume and I have known you since I have been in government and I think you have done a good job in all of these positions you've been involved with but none have related to the recreational aspects of government.

Mr. Young:

Except when I provided millions of dollars worth of money to the Parks Department to renovate ballfields, renovate swimming pools, provide senior citizens centers down at Planning and we didn't just sit there and just allocate those dollars. We had review processes, we sat back with Parks and looked at those facilities, who was using those facilities to make sure that they, in the case of the federal dollars were low and moderate income families that would be using those facilities as the regulations required so I've got somewhat of an appreciation in terms of where some of their activities were but I would agree with you in that I don't know all the inner-workings of Parks.

Mr. Wagner:

I'm glad you mentioned that because I know you have been involved from a planning aspect and many times planning is as much the decision maker as to what happens in various playgrounds and recreational facilities as any department in city government or more so and certainly as the Treasurer, Deputy Director in Finance, I'm sure you were involved in fee structures, so you do know various portions of Parks and Recreation.

But in looking at your resume and the question I was leading to and this question may only be appropriate for someone

seeking the position of Director of Parks and Recreation, what is your background in regard to athletics? Have you every had personally been involved in athletics and if so, to what degree?

Mr. Young:

Well, I played high school football back at Westinghouse and I think during those time s, I'm not going to tell you what years they were, Pete Dimperio was the coach at Westinghouse and had a number of high school championships. He was a great person, a very good molder of people and there were a number of people that he sent on to play in college ball.

I didn't pursue any other athletics in high school but I certainly do get around now. I'd like to think that I play at golf, I play racquetball twice a week, I play at tennis, I have my daughter who is away at school right now, I'm glad to say I coached her and in high school she was the championship in doubles one year and singles another year. I have another daughter coming up now who is a swimmer and also plays tennis. I do have an interest in tennis. I have some members of my family who are very heavily involved in track a new image track team which is here in Pittsburgh and have been around for a number of years and has made a fairly good name for themselves with some prominent runners like Roger Kingdom and folks like that so I do have an interest in track. And just in general I think that recreation and sports are very important for our inner-city neighborhoods. A lot young people have looked to that as a way of releasing their energy and the more we can get them to release their energy on those kind of positive things, improving their bodies and skills and minds and their quickness, we can keep them away from drugs and the other negative things that are out there in the world.

Mr. Wagner:

I am pleased to hear you say that and I'm real happy to hear that you have personally been involved in athletics because I also agree that I think that's critical for young people especially -- as a matter of fact, I may have played against you at Westinghouse. I don't know that but I played for South Hills Public High School. But I'm real pleased to hear that because I'm a firm believer that physical and mental fitness goes hand in hand and if we can utilize the time of our young people in as many innovative ways as possible, the greater potential that they will grow up and be productive people.

Switching gears a little bit in my questioning. When it comes to Parks and Recreation, have you really looked at years' past, the last two decades? The evolution in Parks and Recreation has probably been in the special events area. And all that has been good. It's been good in terms of publicity for the City, it's been good in terms of getting more people involved in

various programs such as the Marathon, the Great Race and now coming the bicycle race. There has been an emphasis on special events. With that the down side has been that there has only been so many dollars in Parks and Recreation and less attention has been given to the daily activities of maintenance to our existing facilities. Now with that I'm going to ask you a question. Where is your priority in the future? Is it more towards the special events? Is it more toward the daily activities of operation and maintenance of the facilities that we have?

Mr. Young:

Back to basics. The Department of Parks and Recreation was built, the special events that you call on the basic premise that we have facilities in a variety of our different communities. Ballfields, swimming pools, recreation facilities, tot lots, things like that. I would like to think that we could go back to the basics and make sure that those facilities, those infrastructures and the activities that occur in those locations are still good rock solid. And that the special events that we have now also become a part of that, that we put into place. That we don't try to expand a lot more but to work on those existing activities and facilities that we already have because if we lose the basics, then I think we have lost what we really want to try to provide for the residents of our communities and I think that is very important for us to do. And I think the special events, certain ones of them, where we have gotten a little bit more diverse than just providing a ballfield, where we have provided some kind of other special activities, movies and educational pieces, I think those are important because we have a changing dynamic in our city and we want to include more people in those kind of things but I think you really have to keep the basics. We have an infrastructure in place and we should take care of it. Bring the kids back to the ballfield and make sure that the ballfields are useable, make sure that the recreational facilities are kept in good shape and that the activities that occur in there are ones that can bring more people into those facilities.

Mr. Wagner:

I was intending on voting for you and you just iced my vote because that I think must be the priority of the future. We were slipping there for awhile to the point where we were almost losing some facilities, where major rehabs had to be done. The theory of bridges, if you don't paint the bridges, you'll have to replace the bridges and the same thing goes on in terms of Parks and Recreation. If you don't take care of them you're going to have to rebuild them and put hundreds of thousands if not millions of dollars into them as has happened at several facilities in the city. So I'm pleased to hear that that's your commitment.

I'd like to add one final note. As we have been innovative in events, new events in the city, I think we need to be a little more innovative in our operations within existing facilities such as an up and coming sport and it's a good day to talk about it is hockey. And with the start of the Stanley Cup this evening here in the City of Pittsburgh and since we have iced it, we have seen more and more on the streets of this city kids playing hockey because we don't have adequate street hockey facilities. Maybe we need to be innovative to utilize tennis courts six months a year for tennis and maybe from October through March as a street hockey court. In other words, get more bang for our buck with our existing facilities and adapt to the changing times with our young people. So I would like you to explore some of those ideas.

On a couple final notes there's been -- I've made a suggestion to the Director of Parks and Recreation years ago that I think we should pursue a golf driving range in the City of Pittsburgh as a money-making venture. And I'd like you to please explore that in the future and the question posed by Councilman Ricciardi in regards to permits for ballfields, that has been a repetitive problem in our neighborhoods that somehow outside groups outside the City of Pittsburgh get ballfields before legitimate city groups, particularly in the outlying areas of the city. I would like a commitment from you to look into that and if the resolution to that problem is for us to legislate something along those lines I believe we should do it and first and foremost those facilities should be for city residents and if city residents are not utilizing them certainly others could use them also.

Mr. Young:

I'll look into it.

Mr. Wagner:

Thank you, Director. Good luck.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Cohen:

Very briefly, Mr. President. I agree with you. I think that for a job like this we don't need somebody who comes in with all of the knowledge that he will gain, I think, over time, but that we need somebody who has the tools to be an effective Administrator. And in my dealing with Mr. Young which has been only for about a year and a half but I have dealt with him on a number of issues, I have found him to have the tools to be an effective administrator and to be somebody who is responsive to the community and somebody who I think could take a fresh look at the Department and address some of the serious issues there. I think he's a quick study and I think he'll do a good job.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 1

(MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Young was approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2659

Report of the Committee on Finance for May 15, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2587

A Resolution entitled, "Resolution providing for the issuance of a \$870.00 warrant in favor of Theodore R. and Beatrice Vasser, Jr. in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2588

A Resolution entitled, "Resolution Repealing Resolution No. 1088, Item G, effective October 25, 1990, which authorized the sale of a vacant lot, 30' x avg. 134.18' x 34.86' ft., known as 1907 Cagwin Street, 19th Ward, Block 35 K, Lot 22, to Pamela H. Harris, for the sum of \$350.00."

Which was read.

Also,

Bill No. 2589

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Also,

Bill No. 2591

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 6927 Perrysville Avenue, Pittsburgh, PA 15202-1825, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of May 1991."

—(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2615

A Resolution entitled, "Resolution Repealing

Resolution No. 825, Item D, effective October 24, 1989, which authorized the sale of a one story, brick veneer house and garage situated on a lot 73.86' x avg. 112.593' x 68.765' rr., located at 6960 Meade Street, 14th Ward, Block 126 C, Lot 172, to John W. Ponds, for the sum of \$38,500.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo for Mr. Darkins presented

Bill No. 2660

Report of the Committee on Public Works for May 15, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2438

A Resolution entitled, "Resolution vacating a portion of Pauline Place beginning at a point at the southwest corner of Lot No. 5 and Lot No. 6 in Trench Plan of Lots, thence by arc distance 25.36 ft. by a radius 50 ft. to a point, thence N 23 59"E 20' to a point, thence S 66 01"E a distance of 17.85 to a point, thence S 23 59'W a distance of 36 ft. more or less to place of beginning, also reserving a 6" water line in the 19th Ward, 4th Voting District of the City of Pittsburgh."
(AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2545

A Resolution entitled, "Resolution granting unto Janice Bobak, 201 Bon Air Avenue, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a fence on a portion of the sidewalks of Bon Air and Conniston Avenues in the 18th Ward, 4th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2611

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for sawing and sealing asphalt and concrete at various locations within the City of Pittsburgh, in connection with the City's Street Resurfacing Program and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2661

Report of the Committee on Planning, Housing and Development for May 15, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2268

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapter 993, 'Exceptions' by providing Administrator Exceptions to allow new one to three story, single-family dwellings on lots less than 5,000 square feet in area when located in 'R' Residential zones other than 'RP', 'R1-A' and 'R1' when

situated in an area that is similarly developed."
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward on Bill 2268.

Michelle Madoff:

I'd like my comments brought forward on that bill.

Mr. Cohen:

I, also, would like my remarks on that bill.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2268-Wednesday, 5/15/91)

Mr. Ferlo:

First of all, I do think there have been some substantial suggestions on amending the bill, and I do think it should be referred back to the Planning Commission. This is controversial, albeit it is a well-intentioned bill to try to deal with the situation in Fineview. It does fundamentally make some important changes to the zoning code that affects the whole city, and I don't think that should be done or we should rush to judgment on that.

I don't think alot of neighborhood groups had a good understanding of what this proposed ordinance change is all about, and I think they at least deserve an opportunity to appear before the Commission, receive the information and respond to it. I think that can be done in the next month and a half to two months. It doesn't have to drag on. I don't think it is going to delay any potential construction season regarding Fineview, and I think it is a mistake to rush into this. I still oppose the bill because it includes "R2" zone.

(Deleted context.)

Mr. Ferlo:

I don't have any questions. I don't support the bill. I am not going to belabor the point.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

(MICHELLE MADOFF'S COMMENTS ON BILL NO. 2268-Wednesday 5/15/91)

Michelle Madoff:

I would like to speak against that. This bill has been discussed ad infinitum. I think a good faith effort has been made to amend it. I think it is going to be in the best interest of the communities that already have small properties. It is going to be compatible with what is already there. I have some concerns that if we put this off right after the election, people aren't going to be here to allow the number of votes; it will kill the bill. I think we ought to bite the bullet and vote on it now. We have had all the amendments made, they are right in front of us. Why can't we discuss them right now?

(Deleted context.)

(BEGINNING - MR. COHEN'S AND MICHELLE MADOFF'S COMMENTS ON BILL NO. 2268, WEDNESDAY, MAY 15, 1991)

Mr. Cohen:

Thank you, Mr. Chairman. I think you answered this but I want to make sure that when this section would have applied and will go to the Planning Commission that the hearing date would be posted.

Mr. Brown:

Posted and notified by mail.

Mr. Cohen:

Okay, tell me about the standard, what standard would apply here and if the standard would be any different for the Planning Department than it would have been for the Zoning Board of Adjustment.

Mr. Brown:

Standard for mailing?

Mr. Cohen:

If this bill were done as a special exception under the Zoning Board as opposed to an administrative exception under the Planning Commission, would the standard for deciding whether this should happen, this development should happen be any different?

Mr. Brown:

I don't think the standards would be any different. The area surrounding the environment will have to be looked at real closely in terms of recorded plans. The block and lot system for recorded deeds and the improvements in that district. Whether the Commission does it or the Board of Adjustment or myself, I think the standards are all going to be similar.

Mr. Cohen:

Okay and community groups would be given notice into the situation; is that right?

Mr. Brown:

Yes.

Mr. Cohen:

Mr. Brown, if somebody wanted to object to a particular setback, let's say this deals with setbacks and other things, but let's say if they want to object to a particular setback and this came before the Planning Commission, would they have that opportunity and would the Planning Commission be able to adjust the subdivision plan accordingly if they were to agree with that objection?

Mr. Brown:

The subdivision plan deals with the amount of frontage and the amount of square foot area and the availability of utilities, street capacities in that. Not so much the setback situation.

Mr. Cohen:

This bill does deal with setbacks, right?

Mr. Brown:

That's right. The second, third and forth exception deals with setbacks. That would be dealt more so through my review and if there is any variance needed through the Board of Adjustment review. There's two elements to the bill. One is to reduce the size of the lots and the other element is for the setbacks and the setbacks would depend on, if there's need to reduce the setbacks, that would depend on the improvements of the surrounding environment.

Mr. Cohen:

If somebody wanted to object to a particular one, would they be able to do it under this process?

Mr. Brown:

They can still object to me. They can object to the Planning Commission at the public hearing and if they're not satisfied with that they still have the Board of Adjustment appeal process.

Mr. Cohen:

Thank you.

Michelle Madoff:

The reason that this is an excellent bill is that we have so many communities, particularly the Southside where we have all of these small little pieces of property where properties

would be built compatible to the area. We have places like that in other communities with the Northside, you know where you don't have the big houses and you have a lot of these little houses and you've reassured me and I believe you that you're not going to let somebody come in and build something that is not compatible to the neighborhood; is that correct?

Mr. Brown:

That's correct.

Michelle Madoff:

So let's make it easy for people to stay in the city. We've lost one-half of our population and let's get on with voting for this.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2548

A Resolution entitled, "Resolution amending Resolution No. 157, effective March 8, 1991, entitled 'Providing for an Agreement or Agreements with the Hill District Civic Association for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$3,000.00', so as to change the group to be responsible for administering the Contract to the Hill House Association."

Which was read.

Also,

Bill No. 2549

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Arlington Heights Resident Council for administrative/operating support, in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2550

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Beltzhoover Neighborhood Council for administrative assistance in operating its services in an amount not to exceed \$8,422.00."

Which was read.

Also,

Bill No. 2551

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bethlehem Lutheran Church for financial operating assistance in an amount not to exceed \$8,000.00."

Which was read.

Also,

Bill No. 2552

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bidwell Education, Music and Recreation Center for the rehabilitation of their facility for use as a multi-purpose center, at a cost not to exceed \$18,888.00."

Which was read.

Also,

Bill No. 2553

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Brashear Association for administrative-operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$7,990.00."

Which was read.

Also,

Bill No. 2554

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crimes for administrative assistance at a cost not to exceed \$2,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2555

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Council Care for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$3,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2556

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with the East Allegheny Revitalization Corporation for administrative support in an amount not to exceed \$7,000.00."

Which was read.

Also,

Bill No. 2557

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Friendship Development Associates, Inc., for administrative/operating support of their 'Housing Information Program' in an amount not to exceed \$5,888.00."

Which was read.

Also,

Bill No. 2558

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Golden Triangle Radio Information Center for administrative support in operating radio programs serving elderly, homebound elderly, unemployed, and disabled in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2559

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greenfield Organization for administrative support in operating programs serving elderly and low income residents in an amount not to exceed \$9,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2560

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill Community Development Corporation for acquisition and architectural assistance of a building to be used in their development and revitalization programs at a cost not to exceed \$15,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES none

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2561

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill District Federal Credit Union for administrative/operating assistance at a cost not to exceed \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi

Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2562

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Just Harvest for operating assistance in running their 'Community Childhood Hunger Identification Project', at a cost not to exceed \$13,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2563

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Larimer-Lincoln-Lemington-Belmar Citizens Council for administrative/operating support of their 'Housing Information Program' in an amount not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 2564

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Miryam's to provide administrative assistance with their services for chronically mentally ill in the amount not to exceed \$1,000.00."

Which was read.

Also,

Bill No. 2565

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Neighborhood Housing Services to provide administrative/operating support to the Agency in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2566

A Resolution entitled, "Resolution providing for an Agreement or Agreements with PA Association for the Blind in an amount not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2567

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Perry Hilltop Citizens Council for assistance in carrying out their 'Lot Clean-up' Program in an amount not to exceed \$8,416.00."

Which was read.

Also,

Bill No. 2568

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape, an organization that provides counseling and information for women experiencing domestic violence problems, in an amount not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2569

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Recovery Center for administrative/program support in an amount not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 2570

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Polish Hill Civic Association for administrative/operating

support in an amount not to exceed \$11,288.00."

Which was read.

Also,

Bill No. 2571

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army-North Side Corps to provide administrative/operating support to the Agency in an amount not to exceed \$1,472.00."

Which was read.

Also,

Bill No. 2572

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Oakland Citizens Council for administrative/operating support of their 'Community Print Program' at a cost not to exceed \$3,110.00."

Which was read.

Also,

Bill No. 2573

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Southwest Pittsburgh CDC for administrative/operating support of their 'Social Services Program' in an amount not to exceed \$20,653.00."

Which was read.

Also,

Bill No. 2574

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Steel Valley Authority for administrative/operating support in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2575

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the St. Clair Athletic Association for rehabilitation of their Senior Center in an amount not to exceed \$9,478.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2576

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Vietnam Veterans' Leadership Program for support of their counseling services to homeless veterans at a cost not to exceed \$17,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2577

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Washington Heights Ecumenical Food Bank for administrative assistance in operating their food distribution program in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 2578

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Westside CDC for site improvements, construction and administrative/operating support of their redevelopment projects at a cost not to exceed \$20,623.00."

Which was read.

Also,

Bill No. 2579

A Resolution entitled, "Resolution providing for an Agreement or Agreements with YMCA/Garfield Branch for the operation of their food pantry, feeding and housing counseling programs for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$2,500.00."

Which was read.

Also,

Bill No. 2580

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Youthbuild Pittsburgh for administrative and/or operating assistance in running a low-moderate income youth-oriented Housing Rehabilitation program, at a cost not to exceed \$33,888.00."

Which was read.

Also,

Bill No. 2581

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the design and construction of streetscape improvements in the Penn-Liberty Cultural District and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2582

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to use the balance of funds remaining in the Broadhead Fording Redevelopment Project account for the Westside Community Development Corporation's UJAMAA Convenience Center Project."

Which was read.

Also,

Bill No. 2583

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Lawrenceville Development Corporation for the sale of Block 49N Lots 127, 128 & 129 in the 6th Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 2584

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Todd Meyer for the sale of Block 23J Lot 320 in the 22nd Ward of the City of Pittsburgh (RESIDENTIAL REHABILITATION)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 2662

Report of the Committee on General Services for May 15, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2590

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase four (4) Haenni-Loadometer, WL 101-Wheel Load Weigher Scale."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

This is silly, perhaps, but it really bothers me. There's a group called The Smoky City Music Festival, I believe. Could we ask, respectfully, and I'd like to make it as a motion,

that they change their name?

They go all over the country and I don't want us to be known as the Smoky City. We have enough bad publicity. We've cleaned up this City, you can see the sky. There's a lot more to do but certainly we don't want the publicity around the nation. Every time I hear it being advertised, "Come to the Smoky City Music Festival" –

Can we find out who they are and respectfully ask that they change their name? I make that in the form of a motion and would somebody second it, please?

Mr. Millions seconded the motion.

Mr. Ferlo:

Discussion. I think the motion is well-intended but I would first like to know what is the purpose of their name. Do they have some reason for having that name?

Michelle Madoff:

They started when we were a smoky city.

Mr. Ferlo:

No, I don't think that's the case. Is this group involved in some folklore or some historical situation regarding our City?

I think before we ask them to change their name, we should have a better appreciation for what the purpose of their name is. Everything that's old about the City is not necessarily bad. There's a lot of people in this City that think that a lot could be said about reviving, preserving, some of the past. I don't know what the actual nature of their name is or the intent, but I'd like to know a little bit more about their name before we change it.

Michelle Madoff:

I'm sure that they're going to tell us when they answer. They're going to say, "We were formed during the smoky city time", and we're going to explain to them that it doesn't do us a lot of good publicity-wise. We're trying to enhance the City, not tear it down.

Mr. Ferlo:

I'm not for censuring.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Michelle Madoff

Mr. Milliones
Mr. Wagner
(Pres't)

AYES 4

NOES 4

VOTING NO:

Mr. Coyne
Mr. Ferlo

Mr. Regan
Mr. Ricciardi

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

It's not a burning issue.

The Chair:

Councilwoman Madoff, would you entertain a motion to inquire about the purpose of that name?

Michelle Madoff:

Absolutely. So much more diplomatic.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

Thank you. I am never married to my words.

The Chair:

We'll send a letter out inquiring about the purpose behind it.

Michelle Madoff:

As we all know, there's an election tomorrow. It doesn't matter who you vote for, that really is not the issue. But there are countries where people kill for the right to vote. And as good Americans, having just come out of a war, I urge each and every person to get out and vote for the candidate of your choice. And I hope my colleagues would echo that sentiment. Don't forget to vote. Don't think it's unimportant. The first time I won, I won by 133 votes. Every vote counts.

Mr. Ferlo:

Mr. President, especially for the residents of the Lawrenceville community, we're about to engage in Round 2 on a battle for the last couple of years against a nuisance bar, and that's Sharp's Bar.

Both Sharp's Bar, and I know Mr. Cohen has been very active on this issue, and the Crossroads Bar, both were denied a license on April 30th, a license renewal from the Liquor Control Board. However, just to familiarize ourselves with this issue briefly, even though we won that initial ruling from the LCB, there's still the power that the bar has to appeal that ruling.

There's going to be a public hearing before the Liquor Control Board on Friday, May 31st at 10:00 a.m. and we've secured a bus in order to take people and we're having the bus leave from in front of the Boys and Girls Club Friday morning at 9:00 a.m. on May 31st. We need to pack the hearing room in front of the Liquor Control Board, the Pittsburgh Police, the City Solicitor involved in helping us put together the proper defense to talk about the illegal activity in and around this bar, Sharp's Bar.

So, we need people from the community. We're providing a bus because the hearing is out in Greentree Borough, and I encourage all residents in and around Lawrenceville to support the effort, not only my effort but the effort by the Lawrenceville Business Association and the other community groups.

That's Friday, May 31st, and the bus is leaving at 9:00 a.m. in front of the Boys and Girls Club at 45th and Butler Streets and then we'll take people back after the hearing. They can call my office for reservations: 255-2140. Thank you.

Mr. Regan:

Mr. President, on March 18, 1991, this Council approved Resolution No. 238 which called upon the City Controller and the Administration to provide certain information concerning the costs of operating City Court. To date, the Administration has not supplied the requested information.

Recently, the Members of City Council were presented with a detailed and comprehensive report compiled by Controller Flaherty and his staff. It is complete in all respects and I commend Controller Flaherty for a job well done. Controller Flaherty's report reinforces my position that City Court is an albatross around the necks of our taxpayers.

I said that in the neighborhood of \$1.5 million could be saved with the elimination of City Court. The actual cost is in the neighborhood of \$2.5 million. It seems to me that this \$2.5 million could be better used to improve the quality of life for the citizens of this great City and to pay for services -- We're paying for services right now that are already in place and are being funded with the State and County monies.

Transferring the functions of City Court to the 17 elected District Justices would not deprive the City of any of its fines that are paid into the Treasury. The disposition of fines is governed by State law and those that inure to the City will be paid to the City no matter the Court in which they are assessed.

I was shocked to learn that City Court operates at an annual loss of almost \$200,000 and that Housing and Animal Court has an annual deficit of nearly \$100,000. These are the amounts by which revenues collected by these Courts fall short of the operational expenses.

Traffic Court produces \$4.2 million in revenues each year, the vast majority of which results from parking citations where the offenders merely mail in the fine and never appear for a hearing. When the \$3.6 million realized from the people who pay without a hearing is deducted from the total, Traffic Court also operates at a loss.

This intolerable situation has lasted too long. We have qualified and competent elected District Justices in this City who can perform each and every function now being done by the unnecessary City Court system.

I call upon my colleagues on Council to join with me in the fight to remove this burdensome yoke from the necks of our taxpayers.

And now, Mr. President, I'd like to ask that a public hearing be set to further look into our City Court.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

A hearing will be set, Mr. Regan.

Mr. Regan:

Thank you very much, Mr. President and fellow colleagues.

Mr. Cohen moved to approve the Minutes of Tuesday, May 14, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse Mr. Darkins for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milliones**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, May 28, 1991

No. 22

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, May 28, 1991

PRESENT:

MR. COHEN	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. COYNE	MR. MILLIONES
MR. DARKINS	

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair presents

No. 2694 WHEREAS, Federal officials are considering closing the U.S. Army Corps of Engineers Pittsburgh Office and relocating at least 350 of its employees to Huntington, West Virginia; and

WHEREAS, U.S. Senator Arlen Specter and Congressmen from Western Pennsylvania have begun working in the past week to block the transfer which is being studied as part of an overall plan to streamline the Corps and consolidate its 38 domestic districts; and

WHEREAS, the Pittsburgh district, which as 950 workers, encompasses Western Pennsylvania and parts of Ohio, West Virginia, Western New York and Maryland; and

WHEREAS, the Federal Building is home to 350 engineers, technicians and support staff. Another 100 employees operate the district's 23 locks on the Allegheny, Monongahela and Ohio Rivers; and

WHEREAS, the Pittsburgh district contains 11 percent of the nation's locks and dams.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges the Secretary of Defense, Dick Cheney, to reconsider the closing of the Army

Corps of Engineers Pittsburgh Office and supports the effort of Senator Specter and the Congressmen of Western Pennsylvania in working to block the transfer.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I'd like to add a few comments here and maybe some of you do also.

I consider this resolution to be an extremely important resolution and I don't look at this as streamlining the U.S. Corps of Engineers. I look at this attempted move by Senator Byrd of West Virginia as being purely politics. And how the Corps of Engineers can even consider relocating from the City of Pittsburgh, the largest inland port in this Country with flood control dams backing up the Monongahela and the Allegheny River, and the type of traffic and the locks and dams that we have on our rivers is absolutely ridiculous.

That's the reason for this resolution. I don't want to add politics to it, but I am going to add something that certainly sounds that way. If Senator Heinz were living, this would never be considered because we had a United States Senator that focused on Western Pennsylvania and, without that, these kinds of proposals are attempting to move forward.

What I would like is for this resolution, obviously, to be sent not only to our Congressional delegation but to the whole region's Congressional delegation and United States Senators not only in Pennsylvania but Ohio, West Virginia and Maryland.

This should not happen. It's only appropriate that the Corps of Engineers be located in the City of Pittsburgh.

Some of you may have something to add.

Mr. Ferlo:

I just want to add, Mr. President, that in addition to the elected officials in the Congress we should also send this resolution - I don't know how many of you have been watching CNN for the last week, but there's a Citizens' Commission that has been formed by the Administration, the President Defense Base Closure Commission. They're dealing with issues not only on actual closure of defense bases, but also closure of military and paramilitary installations around the Country, including the issue of the Army Corps of Engineers.

I would ask that this resolution also be forwarded to that Commission.

Michelle Madoff:

If anybody bothered to read the fine print, there is so much toxic waste in some of these bases, the cost of cleaning up the toxic waste, it would be cheaper to keep the facilities open. You've shown that it would not be economical and I think that should be addressed. It would be very easy to find the article in the paper and get the documentation.

The Chair:

Thank you all.

Mr. Cohen presented

No. 2667 Resolution providing for the issuance of a warrant in favor of the Stadium Authority in the amount of \$1,820,000.00 for

Various Capital Improvements, payable from Code Account 3-13-35-0013-91, Index Code 817502.

Which was read and referred to the Committee on Finance.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 2668 Resolution further amending Res. No. 1415, eff. Jan. 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program", by creating a new line item (EC 91-553), South 10th Street Bridge Rehabilitation, 3-13-05-1247-91, Index Code #813485. This resolution will provide the necessary funding for a Cooperation Agreement with Allegheny County for the City's share of costs for improvements to City-owned facilities located within and being part of the County-owned South 10th Street Bridge.

Also,

No. 2669 Resolution providing for a Cooperation Agreement or Agreements with Allegheny County for the City's share of the costs for improvements to City-owned facilities, including traffic signal supports, concrete sidewalk, sidewalk protective fence, removal of an inactive 24" water line, and concrete barrier curb, all being part of the South 10th Street

Bridge proposed rehabilitation project, at a cost not to exceed \$236,000.00, chargeable to and payable from Code Account 3-13-05-1247-91.

Also,

No. 2670 Resolution further amending Res. No. 1415, eff. Jan. 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by providing funding for EC 91-525, Public Safety Complex. This amendment will provide funding for a Cooperation Agreement with the URA for costs associated with site remediation at the Public safety Complex Parcel.

Also,

No. 2671 Resolution providing for a Cooperation Agreement or Agreements with the URA for the City's share of site remediation costs at the Public Safety Complex at a cost not to exceed \$2,500,000.00, chargeable to and payable from Code Account EC 91-525.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Cohen for Mr. Coyne presented

No. 2672 Resolution further amending Res. No. 1415, eff. Jan. 1, 1991, entitled "Resolution adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by increasing Project 228 (Bureau of Repairs and Operating Maintenance) by \$350,000.00 from \$400,000.00 to \$750,000.00.

Also,

No. 2673 Resolution amending Res. No. 45, effective date Feb. 12, 1991, entitled "Providing for the letting of a Contract or Contracts, or to exercise against existing Contracts for various repairs and renovations to City Facilities, and providing for the payment of cost thereof," by increasing the total project allocation by \$250,000.00 from \$200,000.00 to \$450,000.00, chargeable to and payable from Capital Account 3-30-01-0003-91 (Project Fund), Bureau of Repairs and Operating Maintenance, Department of General Services.

Which were read and referred to the Committee on General Services.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 2674 Resolution amending Res. No. 22, eff. Feb. 4, 1991, which reads: "Providing for an Agreement or Agreements and/or a Contract or Contracts, or for the use of existing Agreements or Contracts for the leasing of office space, and the necessary services and equipment required due to the relocation and housing of the various occupants of the Public Safety Building, and providing for the payment of the costs thereof," by decreasing the allocation by \$166,000.00 from \$1,230,000.00 to \$1,064,000.00, chargeable to and payable from Code Account 1128, Misc. Services, Dept. of General Services.

Which was read and referred to the Committee on

General Services.

Also,

No. 2675 Resolution providing for the amendment of an Agreement of Lease with Forbes Street Associates of certain space in the 441 Smithfield Street Building to extend the term to July 31, 1994, and to include rental of storage space. To provide payment of rent in the annual amounts of \$121,264.00 for office space and \$3,948.00 for storage space, payable in twelve (12) equal monthly installments of \$10,434.33. To provide two (2) one-year options for such space at the annual rental amounts of \$128,128.00 for office space and \$3,938.00 for storage space for the year ending July 31, 1995, and at the annual rental amounts of \$130,416.00 for office space and \$3,948.00 for storage space for the year ending July 31, 1996, chargeable to and payable from Code Account No. 1922, Misc. Services, Dept. of Water.

Which was read and referred to the Committee on Water.

Mr. Ferlo presented

No. 2676 Resolution approving a Conditional Use Exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University of Pittsburgh for authorization to construct a building consisting of an eight-story tower, a ten story tower, and a two-story connecting commons area segment as a student residence to house 624 students located at 3725 Stadium Road, on property zoned "I-C" Institutional-Civic District, 4th Ward, Council District No. 6.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the

8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2677 Resolution providing for the issuance of a warrant in favor of Joe Panepinto, 725 North Beatty Street, Pittsburgh, PA 15206, in the amount of \$200.00 in payment for professional services rendered to Councilman Jim Ferlo in connection with the Community-wide Spring Clean-up Event, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 7, City Council.
--(SPONSORED BY MR. FERLO)

Also,

No. 2678 Resolution amending Res. No. 953 of 1990 entitled "Providing for an Agreement or Agreements with the Airport Corridor Transportation Association for the benefit of the residents of Pittsburgh at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning," by providing for the issuance of a warrant in favor of the Airport Corridor Transportation Association, in the amount of \$2,000.00 for payment of the City of Pittsburgh membership dues to the Association, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning.

Which were read and referred to the Committee on Finance.

Also,

No. 2679 Resolution providing for an

Agreement or Agreements with a consultant or consultants to conduct parking studies to determine if selected Pittsburgh residential neighborhoods meet the impaction criteria as specified in the Residential Parking Permit Program Ordinance, Chapter 549.04, in order to qualify for designation, at a cost not to exceed \$15,000.00, chargeable to and payable from RPPP, Residential Parking Permit Program Trust Fund.

Also,

No. 2680 Resolution authorizing a 1991 Cooperation Agreement or Agreements with the URA of Pgh. providing for the transfer of \$76,352.27 from the Authority to the City of Pittsburgh to be used by the Department of City Planning to fund community development corporations. Said funds will be deposited in the Community Based Organizations Trust Fund.

Which were read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff for **Mr. Milliones** presented

No. 2681 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the purchase and delivery of computer, software, support and training for installation of a fund accounting system for the Department's Division of Employment and Training Grant Administration at a cost not to exceed \$10,000.00, chargeable to and payable from the JTPA-1 Code Account.

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 2682 Resolution providing for the issuance of a warrant in favor of the URA of Pgh. in the amount of \$9,084.00 for the purchase of the Homewood North Project Disposition Parcels 3 and 4 in connection with the reconstruction of Baxter Playground as authorized by Ordinance 184 of 1967 and 243 of 1968.

Also,

No. 2683 Resolution providing for the issuance of a warrant in the amount of \$10,000.00 to Charles M. Morrissey and Dorothy Morrissey, his wife, c/o Thomas Hollander, Esquire, their attorney, Evans, Ivory, Moses, Hollander & MacVay, P.C., 1311 Frick Building, Pittsburgh, PA 15219, in full and final settlement of an alleged accident between a City Police vehicle and a Port Authority bus at or near the intersection of Forbes Avenue and Cherry Way on or about July 9, 1987, in the City of Pittsburgh, payable from Code Account No. 46, Judgments.

Also,

No. 2684 Resolution amending Res. No. 371, Item D, eff. April 9, 1990, which authorized the sale of 1022-1024 Lincoln Avenue, 12th Ward, Block 124 S, Lot 227, consisting of 2-2-1/2 story, brick-stucco, apartments on a lot 50 x 202 x 63 ft., to Chase Development Corporation, Ltd., for the sum of \$2,500.00. The reason for the above amendment is to reduce the selling price to \$1,800.00 as the Bureau of Building Inspection has deemed it necessary to raze the structures and the buyer is willing to continue with the sale as a vacant lot at the reduced price.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 2685 An Ordinance correcting Section ES 704.2.2.3 on Page 3A of the 1990 City of Pittsburgh Amendments to Article 7 of the BOCA National Existing Structures Code/1987. The Board of Code Review held a meeting on April 3, 1991 and the Members approved this correction unanimously.

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 2686 Petition from the residents of the Mount Washington Senior Citizens Center, requesting a public hearing to discuss the installation of a traffic signal located at the intersection of 122 Virginia Avenue and the Foodland Street crossing, City of Pittsburgh. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 2687 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss legislation to increase the amount the City is expending on audible traffic signals. (This petition is valid in accordance with Section 320 of the Home Rule Charter.

Which were read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 2637 Resolution appointing Celia

Berman Shapiro, 6237 Monitor Street, Pittsburgh, PA 15217, as an At-Large Member of the Pittsburgh Cable Communications Advisory Committee, to fill the unexpired term ending December 31, 1993.

Which was read.

Mr. Cohen moved to approve the appointment.

Mr. Ferlo seconded the motion.

Mr. Regan:

Nothing personal against that lady, but I'm going to abstain. I think she's a fine lady.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 5 NOES none

(MR. REGAN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointment of Ms. Shapiro was approved.

The Chair:

I'd like to just mention a special welcome to the students from the University of Pittsburgh

School of Journalism and Sister, who is also a student in Management of Organizations here at Council Chambers here today. Welcome. It's nice to have you.

REPORTS OF COMMITTEES

Michelle Madoff for Mr. Milliones presented

Bill No. 2688

Report of the Committee on Finance for May 22, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2616

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of Five Hundred Fifty-seven Dollars and Seventy-eight Cents (\$557.78), without previous authority of law, for payment to McCollister's Moving & Storage, Inc. for removal of the old copier machine from the Law Department premises due to the purchase of a new copier machine."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
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Mr. Ferlo
Michelle Madoff

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2617

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 2618

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Ferlo
Michelle Madoff

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo for Mr. Darkins presented

Bill No. 2689

Report of the Committee on Public Works for May 22, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2612

A Resolution entitled, "Resolution granting unto Katherine Zgurich, 208 East Woodford Avenue, her successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a porch and deck on a portion of the right-of-way of an 5' foot Unnamed Way in the 29th Ward, 4th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2613

A Resolution entitled, "Resolution amending the Title and Section 1 and 6 of Resolution No. 1217, approved November 19, 1990, effective date

November 28, 1990 entitled, Encroachment for Dumpster and Loading Dock Area, on the right-of-way of Hope Street and E. Lacock Street in the 23rd Ward, 1st District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 5 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2690

Report of the Committee on Planning, Housing and Development for May 22, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2547

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section

993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University of Pittsburgh, Medical Center, agent on behalf of the Department of General Services of the Commonwealth of Pennsylvania for authorization to construct a 200,000 square feet, ten-story medical research facility atop the existing VICTORIA STREET PARKING GARAGE on the northerly side of VICTORIA STREET at DARRAGH STREET on property zoned 'I-C' Institutional-Civic District, 4th Ward."

Which was read.

Mr. Cohen:

Mr. President, I'd like my comments brought forward on that bill, please.

(REMARKS ON FOLLOWING PAGES)

(MR COHEN'S COMMENTS ON BILL NO. 2547 - Wednesday, 5/22/91)

Mr. Cohen:

Bery briefly, Mr. Chair. I respect that role and agree with Mr. Ferlo, but if we have two inconsistent "A1" proposals coming before us at the same time, then we should not deal with it in that way. We should deal with one and then the other. And I would appreciate it if we could hold off on this for several weeks. I don't think that is going to be a significant deterrent and will allow the negotiations to go forward.

The Chair:

Your motion is for eight weeks. Are you saying you want less than that? You just said "a couple weeks." What is your pleasure?

Mr. Cohen:

I think we need about two months total. I could move down to six weeks, Mr. Chairman, in the interest of compromise.

(Deleted text.)

Mr. Cohen:

I would settle for a month, Mr. Chairman, if you feel that would solve this.

(Deleted text.)

Mr. Cohen:

Director, were all local neighborhood groups notified of this and was there any opposition?

Ms. Downing:

Yes, I would say not substantial opposition. There were some issues, concerns, by the nearby residents.

Mr. Cohen:

Tell me what those concerns were, please. This is not the ODI concerns, but individual residents?

Ms. Downing:

I believe ODI was speaking on behalf of the residents in the Chesterfield area. There was an issue about drainage that apparently is being caused by something other than this complex. There was an issue about traffic management during construction, and with every large development we require the applicant to file a traffic management plan that indicates when they will be bringing heavy equipment and the routes that they use, and I believe that has been done.

Mr. Cohen:

Have both those been resolved to the community's satisfaction, as far as you know?

Ms. Downing:

I believe so. We haven't solved the cause of the drainage problem, but it is not related to this development.

Mr. Cohen:

How about the traffic management part, has a plan been submitted yet?

Ms. Downing:

I am not sure. Normally that would be done at the time they get the permit.

Mr. Cohen:

Would you let me know about that, please?

(END OF REMARKS.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

Bill No. 2691

Report of the Committee on Water for May 22, 1991 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2620

An Ordinance entitled, "An Ordinance amending Ordinance 3, of 1991, approved February 5, 1991, entitled, 'An Ordinance supplementing and amending the Pittsburgh Code, Title Three, Water, Article I, Administration, Chapter 303, by changing the title to read Water Exoneration Hearing Board and by changing 303.01 Composition and 303.02 Duties' by changing the number of candidates that Council submits to the

Mayor." **---(SPONSORED BY MR. RICCIARDI)**

Which was read.

Michelle Madoff:

How about getting this bill approved? I'd like to see the President walk it through because this is long overdue. We still have at least \$12 million outstanding in the Water Department. We still have at least 30 percent of the people not paying their water bills. We used to have 90,000 customers; we have 80,000 customers. Something has got to happen in that department and this is the first step to at least get the appropriate names through and this should be done pronto.

I would ask the President of Council to please send a letter from Council saying that we're tired of being scapegoats and would we please get the appointment of this Committee immediately.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Mr. Ricciardi:

In accordance with Section 322 of the Home Rule Charter, Publication Effective Date of Legislation, I move that the Effective Date of Bill 2620 shall be the date on which it is signed by the Mayor.

Mr. Ferlo seconded the motion

WHICH MOTION PREVAILED.

Mr. Regan presented

Bill No. 2692

Report of the Committee on Public Safety for May 22, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2619

A Resolution entitled, "Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 2693

Report of the Committee on Engineering and Construction for May 22, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2472

A Resolution entitled, "Resolution further amending Resolution No. 310, effective April 25, 1980, as amended by Resolution No. 327, effective April 16, 1981, as amended by Resolution No. 1007, effective October 14, 1982, as amended by Resolution No. 712, effective August 25, 1987, as amended by Resolution No. 202, effective April 3, 1989, as amended by Resolution No. 900, effective August 30, 1990, entitled 'Providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Services in connection with the design of the Golden Triangle Computerized Traffic Signal System; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania,

Department of Transportation; and providing for the payment of the cost thereof, by increasing the total project allocation by \$30,000.00 from \$1,317,000.00 to \$1,347,000.00."

Which was read.

Mr. Cohen:

I'd like my remarks brought forward on Bill 2472, please.

(REMARKS ON FOLLOWING PAGE)

(MR. COHEN'S COMMENTS ON BILL NO. 2472 - Wednesday, 5/22/91)

Mr. Cohen:

I want to briefly revisit the issue of emergency vehicles passing through intersections. As you know, I wanted to add to this study a pilot project to look into the possibility of having traffic signals for the passage of emergency vehicles, partly as a result of the Bill Shira case where that individual had a tragic accident with a fire truck. We just discussed this, and I am disappointed that the Federal Highway Authority is not willing to add that to this project. But you just provided us with a letter today, and if I may just to summarize it, it says that the Department of Engineering and Construction is committed to investigating this signal system, that you will meet with the appropriate bureaus, namely fire, police and EMS, and you will work with City Planning and the budget office to allocate funds for the study.

I appreciate that commitment, and I feel that we can go forward with this now, and would look forward to making sure that commitment is fulfilled.

(End Of Remarks.)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 2542

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Various Senior Citizen Centers and Recreation Centers, including but not limited to the Hazelwood Car Barn Bocce Court in Council District No. 5; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2543

A Resolution entitled, "Resolution amending Resolution No. 262, effective March 21, 1990, entitled 'Providing for an Agreement or Agreements with a Consultant or Consultants, for Engineering Services in connection with the Design of Walbridge Street from Main Street to Herschel Street, in Council District #2; and providing for the payment of the costs thereof,' by amending the previous funding sources for use of the 1989 Project Fund and by amending the total project allocation for a range of \$100,000.00 to \$200,000.00."

Which was read.

Also,

Bill No. 2544

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Allegheny County for the City's share of the costs for improvements to City-owned facilities located within and being part of the County-owned Sixth, Seventh, and Ninth Street Bridges; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2608

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program' by amending the title of EC 91-505 to read 'City-County Building Trust Fund Transfer.'"

Which was read.

Mr. Cohen:

Please bring my remarks forward on this.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 2608 - Wednesday, 5/22/91)

Mr. Cohen:

Director, if you could, just explain what part of the City-County Building you are going to be improving and what part the county is going to be responsible for.

Mr. Sciulli:

These three bills, as you mentioned, are companion bills. And as you know, the building was, I think, dedicated in 1905 and alot of the mechanical system and electrical systems are still part of the original design of this building. One of the many problems that we have maintaining the building is with the electrical work. We are essentially tapped out for power. We need to get more circuitry in here, larger power sources to accommodate all the needs of the city and county. So what we have done is essentially set up a co-op between us and the county. The city will take the lead here and create trust funds, and hire the contractors, and do the work, and we have placed this up to \$300,000.00 into the code account. As we get the work, as we start to manage the work and at least start with the electrical, the county will be pitching in and it will be a 50/50 share, as I understand it.

Mr. Cohen:

What will the new electrical work permit to us do?

Michelle Madoff:

Computers.

Mr. Sciulli:

That is basically it. In 1905, there weren't PC's around and alot of other things. So everybody has a PC, almost every person, every department has several of them, laser printers and all the new technology.

Mr. Cohen:

Basically modernize the electrical system here?

Mr. Sciulli:

Yes. There is only so much power coming into the building.

Mr. Cohen:

Do we have a steadfast commitment from the county that they are going --

Mr. Sciulli:

That is what I understand. I haven't been part of the negotiations, it has been handled by General Services, but that is what I have been told and I believe it.

Mr. Cohen:

50/50 split?

Mr. Sciulli:

Yes.

(End of remarks.)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 2609

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as the 'City-County Building Trust Fund' for the deposit of funds to be used for the Renovations to the City-County Building."

Which was read.

Also,

Bill No. 2610

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for Renovations within the City-County Building, including electrical service and switchgear; and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On those bills, I think it would be appropriate to recommit for a week so that tomorrow we can have Lou DiNardo here.

We just got the answers to our questions and they don't make any sense. We're getting code numbers and kilowatts. It doesn't say what elevators it's for. It doesn't say what they're going to do. There's comments about us saving \$14,000 in energy savings. It's says a 50/50 split by City-County. This makes no sense.

We need to ask some substantive questions so we don't vote in a vacuum and I respectfully ask my colleagues that we wait until we get some answers tomorrow and I'd like to hold for a week.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

Mr. President, I'd like to take just a moment to comment on the latest outrageous act by our local cable monopoly, TCI of Pennsylvania.

It appears that despite the outcry from the last rate hike and channel scrambling in January, TCI still hasn't learned to be responsive to it's customers. As you may know, starting June 3rd, TCI will be offering a new premium service called Encore which apparently features films from the '60s, '70s and '80s. So far so good.

Here's the catch. In the smallest possible print in a customer mailing that they recently sent out, it says the following: "If you want to continue receiving Encore, do nothing. Unless you notify us of your desire not to receive Encore, we will assume that you want to subscribe to it and we will bill you each month."

In other words, TCI is going to provide this premium station and bill us for it even though we never asked for it. It puts the burden on the customer to notify TCI if they don't want the service.

This is an old ploy that used to be used by magazine companies and book publishers where they would actually send you a magazine or a book that you never requested, and then they bill you for it unless you called and notified them that you didn't want it. This practice was stopped by the magazine and book companies, my understanding is because it was declared illegal.

Why should we have to call TCI to avoid having to pay for something we never asked for in the first place? We all know what happens when you try to call TCI. Back in January when they pulled their latest rate hike stunts, I tried calling TCI for two weeks and got a busy signal for two full weeks.

Moreover, Encore is by no means cheap. They charge you \$1.00 a month for the first year, but if you don't have any other pay or premium channels it costs \$4.95 a month or nearly \$60 a year.

Mr. President, I think that this latest stunt is outrageous. And if TCI continues to take advantage of its customers because it is a monopoly, then I think that we have no choice but to strongly object to it and to try to stop it.

So, what I'd like to do today is to move that first of all we send a very strongly-worded letter to TCI protesting this latest move.

And second, that we send a formal request to the Law Department asking them first, is it legal to do what TCI is doing. That is, to add a station, add it to your bill even though you never asked for it, and require you to pay for it.

And also, whether this Council has the authority to prohibit TCI from exercising this tactic. We all know that we no longer have the authority to regulate rates because of a Congressional Act in 1982, but that does not mean we have the authority to prohibit unfair payment schemes like this one.

When TCI pulled its last rate hike and channel scrambling stunt in January, I don't remember any of its customers yelling, "Encore!", but apparently TCI is trying another Encore Performance. It's unfair and it should be stopped.

Mr. Ferlo seconded the motion.

Mr. Regan:

I would just like to say that it's continued arrogance by TCI towards the people of the City of Pittsburgh and as long as the Federal Government controls it and the City of Pittsburgh has no control over it, I can see that that arrogance is going to continue.

I wholeheartedly support Councilman Cohen. He has done a great job on this so far and I'll give him a lot of help for what he's doing. Count me in, Councilman.

Michelle Madoff:

I inadvertently overheard a representative of TCI on a talk show and this exact subject came up indirectly, and this why don't you find out from the people if they want it by having a check point on their bill, "Do you want this?" as opposed to, "If you don't indicate that you don't want it, you'll get it." And the response was, "Yes, we never thought about that; we should look into doing that."

So, it seems to me that the first step might be to find out, as you suggested, from the Law Department, what is acceptable, what is legal, what is not.

And the second one is to write them a letter saying, "Have you changed your mind?" because I got the sense that they got the message from the calls that came in that what they were doing was not acceptable, universally unacceptable, and that they understood that and were about to change it.

So, I would suggest that we take that first step before we -- I mean, if they're going to make a correction, let's find out.

As I said, I heard about it quite inadvertently. I just happened to turn on a talk show and heard them talking about it.

Mr. Cohen:

Did they say anything to indicate that they were going to make a correction?

Michelle Madoff:

They were going to look into it, and I think that we need to find out if they looked into it and are they going to change it.

Mr. Regan:

How far are they going to look into it?

Michelle Madoff:

They were supposed to look into putting a check mark on your bill, "Do you want something?" as opposed to "You'll get it if you don't say you don't want it."

I think it would be in our best interest to say, "What have you decided?" because I don't know that we'll accomplish anything by going to war.

Mr. Ferlo:

I do think that we need to go to war with this cable company. It's the most arrogant monopoly I've ever seen.

As somebody who has battled utility companies for close to 15 years, I would rather take on any of the major utility companies because at least there's a process of State law through the Public Utility Commission to engage them in battle on their rate increases or their change in service. As Mr. Cohen has eloquently

stated, this is not the case due to cable deregulation as it relates to TCI.

I think there needs to be a limited boycott of this company. I suggested this many months ago during the last battle, and I took that action individually. I called the cable company and for the last many months I've had the minimal basic service which, I think, is a little over \$12 a month. That means I sacrifice some of the other things I would like to have.

But I think what this cable company needs to know, in addition to the comments that Mr. Cohen has made and the actions he is proposing, we're stuck with this cable company. We can't change the cooperation agreement till the next century. It doesn't look like cable deregulation or reregulation of the cable industry is going to pass the Congress any time in the immediate future.

I think it rests with the consumers of the channel services. I think if every Pittsburgher immediately called this week and called TCI and said, "Return me to the minimal basic service", I think they would begin to understand. They understand dollars and cents. And as far as I'm concerned, it makes a lot of sense for consumers to call up this company out of protest and take on the minimal basic service. And then I think we might get to see a change in their attitude.

The Chair:

Councilman Cohen, when would that be implemented? What's the effective date?

Mr. Cohen:

June 3rd is my understanding.

The Chair:

Obviously, TCI is not tuned in to reality

here. June 3rd would be next Monday. Maybe we could even call an emergency Post Agenda or public hearing later in the week if we don't have an immediate response back from TCI.

Mr. Cohen:

I think that's a good idea.

Michelle Madoff:

What is the motion now? You're staying with the same motion or you're going to start off by contacting them?

Mr. Cohen:

I have two motions, and we don't have to do it by letter because of the time situation. One is, first, to send a strongly worded opposition letter.

Second, is to find out from the Law Department whether what they're doing is legal. My understanding is that when the book and magazine companies stopped doing this, it was because the courts declared it illegal. I'm not sure of that, but we should ask the Law Department.

Also, whether this Council has the authority to prohibit this kind of payment scheme. We don't have the authority to regulate rates; that doesn't mean we don't have the authority to regulate the way they get those rates.

Michelle Madoff:

What I was suggesting is that as a representative of this Council who has taken the lead in this, that you might call and say, "Are you planning to change your policy and in the next bill put a mark saying yes, you want it, or no." You could do that within ten minutes. And if that is not the case we could sort of not adjourn this meeting but continue to first item tomorrow and

take it up then. My understanding is that they were. Let's just find out.

The Chair:

Why don't we have a letter drafted today and have it hand delivered before the day is out.

On Councilman Cohen's motion, all in favor? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

On another issue. Members of Council, did everybody read the morning paper? "County Sales Tax ID In Jeopardy". My understanding, and somebody correct me if I'm wrong, is that Philadelphia came in for its so called bail-out and that we assumed that the rest of the State, particularly Pittsburgh, would have the same benefit once they got it.

Could somebody explain to me how we have a State Legislator, Mr. Murphy, say, "My courage prior to talking to people last week was far greater than it is today" said Representative Tom Murphy, Democrat, North Side. "These are a lot of tax increases to bite off in one year because the Governor is now suggesting some other taxes."

How on earth did our Legislators vote for Philadelphia without making it a joint issue, saying, "Yes, we'll vote for Philadelphia providing Pittsburgh gets it." How did they vote for Philadelphia and not vote for us? Don't they represent us? Or were they going to go on the Tooth Fairy where we believe in miracles? Wouldn't it be nice if you think about us, too, later? Why didn't they play hard ball? What kind of representation are we getting?

It is unconscionable to me. If that is what

has happened, we need to know about it and we need to know it very quickly. And I think the City ought to stop talking about what we're going to do with the benefit that we would receive in the sales tax. It doesn't matter whether we're going to use it for an amusement tax or entertainment cultural districts.

What it says, for example, the Republicans say, "If you're talking about a one percent sales tax roll back," and I think it's State Senator Michael Fisher, a Republican that says, "If you're talking about a one percent sales tax to roll back real estate taxes and give municipalities more money to spend, I won't support it." he says.

We need relief here. We have lost half our population. We're treated as orphans. Everything goes to the eastern part of the State and we're forgotten. Our Legislators voted to give Philadelphia relief without giving us the relief at the same time.

I would like to make a recommendation that we want to know how they voted. Write a letter to the leadership and find out how did they vote for Philadelphia without voting for us at the same time. Why didn't they use their brownie chip? This happens over and over and over again. It's our whole delegation. I'd like to know how that happened. Would anybody else like to know how that happened? I make that in the form of a motion; do I have a second?

Mr. Ricciardi:

What's the motion?

Michelle Madoff:

The motion is to write to our delegation. I believe it would be, I'm not sure but I think it's Ivan Itkin, to find out how they voted for Philadelphia to get the one percent sales tax without voting for Pitsburgh at the same time.

How is it, okay, you can have it, assuming we were going to get it, and not holding out for ours?

Mr. Regan:

With no disrespect to the Councilwoman, I don't think that we know all the facts here.

Michelle Madoff:

I'm asking. Let's call and ask. Let's write and find out how it happened. What's wrong with that?

Mr. Ricciardi:

Mr. President, I think Michelle Madoff is touching upon a very important point here, but she has taken it a step too far and I think we should back up in house first.

I'd like to make a motion, if Michelle would accept it, that we should be briefed from the Administration to see what direction this Administration is going into when it comes to additional tax revenues. First I've heard us talk about the occupation tax and lowering the amusement tax. Then we hear about the one percent County sales tax. We have a lobbyist in Harrisburg that we pay by City funds and we also have people in the Mayor's Office that I believe are lobbying.

So, I would respectfully as Michelle to withdraw her motion for now and let's first be briefed from this Administration to see what direction they are pursuing.

The Chair:

I think that's a good idea, if I may add. And also get Chuck Kohling in here, our Legislative liaison, to brief us along with the Mayor's representatives in Harrisburg.

Michelle Madoff:

I don't have a problem in changing my motion to a post agenda pronto that would have Kohling here, that would have the Administration here, to say how did they allow Philadelphia to get a benefit without making sure that particularly our Representatives from the Western region and our own Delegates didn't say it was contingent on Pittsburgh getting the same benefit.

Mr. Ferlo:

I just want to clarify. I support Mr. Ricciardi's concern. I think we need to get briefed, first of all.

Secondly, as is typically the case, it's not often times we have a clear understanding of what the Administration's agenda is on the State sales tax issue. In fact, I don't think generally there has been any debate among other branches of government. Council and the general public has been left in the dark on this issue.

I know, for example, I was with Representative Pistella yesterday at a Memorial Day event and he was only made aware of what the Administration's agenda was on the State sales tax issue two weeks ago.

There's a lot of debate on the sales tax issue and I'm still undivided on it. There's one school of thought that says instead of increasing it one percent above the six percent that we would maintain the six percent and that one percent would come off of the top and be returned to Allegheny County government in the form of basically a revenue sharing plan. I like that idea a lot better than just tacking on an additional one percent burden because basically it's a regressive tax.

So, there's a lot of debate still on what

actually should happen regarding the sales tax, as Mr. Fisher has talked about. He said he would vote in favor of an increase of some sort, but he wanted it specifically tagged to tax relief, be it real estate taxes or what have you. So, there's lots of debate on issues -

Michelle Madoff:

He said he won't support it.

Mr. Ferlo:

He said he would support it if you directed it and took it off of real estate.

So, there's a lot of debate on this issue and I like Mr. Ricciardi's proposal that we entertain some dialogue with the Administration and Mr. Kohling.

The Chair:

I'd like to add in addition to that issue, I'd like to know where they stand on a multitude of issues. Our enhanced transportation between Downtown and the new Airport. Really, what are they doing in this proposed budget?

On the issue we passed in the resolution, the Corps of Engineers, has the State government taken a position to make sure that that office stays in Pennsylvania rather than moving to West Virginia?

Certainly we need them to support many of the issues that we would like to see supported and I'd just like to know where they stand on these issues. So, I think we need a meeting and a briefing.

Michelle Madoff:

I think we're all saying the same thing. I don't think anybody is in disagreement. My own

personal position, having been 13 years June 1st, I expect a party, is that we know the Administration's position. They try to get some help and relief back and I think sometimes they don't go about it the right way in saying we want it to relieve our amusement tax, which may be a very good thing to do and I certainly support it. But sometimes you don't tell the other side what you want it for because it comes off the wrong way.

I think that we absolutely have to have some relief for this community. Fisher does say, indeed, that he would support transportation if that was the issue.

It is a hodgepodge but the most important thing, and everybody is missing my point and I want to try once more, if you will, bear with me. There will obviously be new taxes. The only question is whether our Legislators will fight for our fair share locally. That's a quote from the Mayor. I'm saying, did they fight for us fairly when they gave it to Philadelphia and they didn't fight for something equally good for us.

That's the point I'm making and I don't want to brush that aside. I think we have a responsibility, at the same time that we look into what we're going to do here, to simultaneously, concurrently, write a letter to our Legislators and say, "How did you give something to Philadelphia? Why didn't you hold out your vote until you knew Pittsburgh was going to get equal treatment?"

I think those are two combined but separate issues. We can do both of them at the same time. That's my motion. I would support including what you wanted in my motion, but don't we want to know how our Legislators voted for Philadelphia without making sure that we got something at the same time? My motion is to combine both of them.

Mr. Ferlo seconded the motion.

Mr. Cohen:

Mr. President, very briefly. I agree with Councilwoman Madoff but I think that we should have a dialogue —

Michelle Madoff:

We said we're going to do both.

Mr. Cohen:

Not just send a letter and get a form letter back. Let's invite them, along with the Administration representatives and Chuck Kohling, and some State Representatives, perhaps, at least Ivan Itkin who at least through seniority is the head of that delegation. Let's bring them all here and have a dialogue.

Michelle Madoff:

Absolutely. How about all of them in this article? How about bringing Murphy? He says he's afraid.

Mr. Ricciardi:

I don't want to get into personalities but, Mr. President, maybe also the County Commissioners because we don't want to separate ourselves from the County here.

Michelle Madoff:

Except that they've separated themselves. They say they don't know how they're going to vote.

The Chair:

Okay, we will have a briefing meeting on this as soon as possible.

On Councilwoman Madoff's motion, all in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

Three very brief issues. One, a reminder to Lawrenceville residents and the community groups in that area that the protest against Sharps Bar, the renewal of their liquor license, will be this Friday, May 31st. There will be a bus leaving at 9:00 a.m. in front of the Boys and Girls Club to go to the LCB hearing room out in Greentree Borough and you can call my office at 255-2140. This is for people that want to join together and continue our protest against this nuisance bar.

Secondly, I want to thank the Mayor and the Administration for help on the Super Playground, specifically in the last couple of weeks. The Parks Department completed pretty much at their own leadership the final landscaping to the perimeter of the playground and they did a wonderful job.

And I want to assure a lot of parents who are using the playground, I must admit the playground is being utilized much more heavily than I actually anticipated originally, that there will be some traffic safety improvements made. We're discussing diagonal parking, parking on one side, a stop sign and a crosswalk. So, there will be some traffic safety improvements made.

Thirdly, on another issue, Mr. President. Yesterday during a Memorial Day Parade through Bloomfield and Lawrenceville, very well attended in the Lawrenceville community with a couple thousand people lining the streets. However, there were a couple hundred bicyclists that were going against the parade route in a lane. It was very unsafe, not to mention that I think many people felt it was disrespectful.

I think when a group has been given a permit, in this case it was the Allegheny St. Mary Cemetery Memorial Group that has been doing this parade for many, many years in the Lawrenceville community, the Parks Department, the Police, whoever is responsible for the logistics of parade permits, it would have been easy for the bicyclists to go a few blocks around the parade route. It was very unsafe, not to mention that I thought it was disrespectful.

So, I would ask that we send a letter to the Administration that in the future if these events, the bicycle event, is going to compete or conflict with a lot of these Memorial Day Parades, that somebody figure out the logistics a little bit better. It didn't sit well with a lot of people yesterday. That's in the form of a motion.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ricciardi:

Mr. President, over the Memorial Weekend I had an opportunity to attend the Thrift Drug Classic Bicycle Race. I must say that it was very well organized and very exciting and well-received from the spectators.

I support events like this. This event, The Three Rivers Regatta, The Grand Prix and The Marathon, because I believe it makes Pittsburgh a livelier place to reside and to visit.

But there's an important issue here as elected officials that we should bring up, and we have all spoken about this at one time or another, and that's concerning a policy, a consistent, fair policy on the cost recovery program.

I'm very interested in this particular race and I'd like to have a motion on the table, number

one, to ask the Administration to provide us with the cost of municipal services by department, that's Police, EMS, Public Works, Parks and Recreation, and any other department that was involved in this race.

Also, the benefits that the City receives, both the tangible benefits which hopefully will be the indirect tax revenues, and the intangibles which is the good will that the City has.

Also in the motion, I'd like to know the role that the Pittsburgh Sports Federation had either in sponsoring this or helping in the operational aspect.

And again, if there was any written agreement between Thrift Drug and the City of Pittsburgh. That's where we fell into trouble in the past. We never had a written agreement between the City and the event.

Again, I support events like this, but we're talking about taxes, we're talking about increasing tax revenue, and before we do anything like that we should look past we need a consistent cost recovery program.

So, if my colleagues would support me in that motion asking the Administration for that information.

Mr. Regan seconded the motion.

Michelle Madoff:

Discussion. I have no problem ever in getting information. As a matter of fact, that has been one of the problems in 13 years. I have always said that we're kept like mushrooms in the dark and fed horse manure on many occasions. We ask for information and we don't get it. This Council, because we have been united and it's been the best Council that has ever existed in the time that I've known, we have finally started to

get some information.

My understanding, and I have to tell you in all fairness, the person that organized this bicycle race is one of my dearest, closest friends. He did the first film for GASP for me and did a superb job. My understanding is that they did, indeed, have a contract with Thrift but one of the reasons, and I think it's important to find out the intangibles, is I believe this was shown nationwide and it showed Pittsburgh at it's best. It was a sunny day, the view. That's the kind of publicity you can't buy for hundreds of thousands, millions of dollars and we ought to factor that in.

But, yes, I have no problem in finding out, but I do want to throw that aspect into the equation.

Mr. Ferlo:

As a follow up to Mr. Ricciardi's motion, which I certainly support, I just want to indicate to the President that we have exactly four outstanding requests from Council since January, I know because I made them, asking specifically for information on the cost recovery program. There are four requests that have yet to be responded to by the Administration. And I certainly support that request once again.

The Chair:

Along with the letter on the most recent event, which was a great event and the Administration should be complimented on it, let's ask for, Mr. Perry, in that letter a follow up note that we have requested previous information and would like that information as soon as possible.

Mr. Ferlo:

As a footnote. I didn't want to rain on the gentleman's parade last week when Michelle

gave him a proclamation but, you know, we bailed the Administration out and put the Parks person on the payroll in order to salvage the Marathon, and I'll hold my comments about this year's Marathon. But we haven't done the same, at least, for Director Gaetano from Public Works who now is the head of the Sports Federation. It's my understanding that this gentleman hasn't received any income or payment for his services since February. He has been off the City payroll.

I would ask that the Administration consider at least the same treatment. That event they messed up, the Marathon, and we had to bail them out by taking a Parks person. We funded that person for I think \$36,000. We should at least be able to do the same until they resolve the issue with the County on the reimbursement from the hotel tax.

The Chair:

On that item, there is a motion on the floor. All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Regan:

Speaking of the race this past weekend, I was attending 7:30 Mass at St. Mary of Mercy Church at the Point, and I was embarrassed to say the least.

An announcement was made in Church that tow trucks were assembled, and this was like 7:40 in the morning, tow trucks were assembled on Stanwix Street to remove all vehicles because of the bicycle race. Worshippers at Mass were forced to leave the Church and move their cars or have them unceremoniously taken to the auto pound.

There were no signs posted on Stanwix Street nor were there any members of the Police

Department on hand to prevent people from parking in the first place.

It would seem to me that with the Public Safety Department, with their annual budget of one-third of the City's budget, approximately \$115 million, that they couldn't put \$50 worth of yellow signs up there, No Parking signs, so that these people wouldn't have to miss the Church service.

I strenuously objected to the high-handed, public be damned attitude of the City of Pittsburgh and the promoters of this race. I'm a strong proponent of events that publicize Pittsburgh in a positive manner. But to force people to leave a religious service, attempt to relocate their automobiles, thereby missing most of the service, is an act of arrogance with a lack of feeling for any part of people's lives. A little compassion and caring by the City Administration could have prevented an ugly situation.

I demand that those people who were victimized by this thoughtless act be given a public apology with the arrogance that is arrogant behavior. It will never happen again in the City of Pittsburgh. Maybe the Administration doesn't care about people, but I do. Thank you.

Michelle Madoff moved to approve the Minutes of Monday, May 20, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse Mr. Coyne, Mr. Darkins and Mr. Millions for absence from the meeting.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

the 1990s, the number of people in the UK who are employed in the public sector has increased by 1.5 million, from 2.5 million in 1980 to 4 million in 1995. The public sector has also become an important employer of women, with 4.5 million women employed in the public sector in 1995, compared with 3.5 million in 1980.

There are a number of reasons why the public sector has become an important employer of women. One reason is that the public sector has a high proportion of women in its workforce. In 1995, 85% of the public sector workforce were women, compared with 75% in 1980. This is due to a number of factors, including the fact that the public sector has a high proportion of jobs that are traditionally held by women, such as teaching, nursing, and social work.

Another reason why the public sector has become an important employer of women is that it has a high proportion of jobs that are full-time. In 1995, 65% of the public sector workforce were employed full-time, compared with 55% in 1980. This is due to a number of factors, including the fact that the public sector has a high proportion of jobs that are essential to the functioning of the state, such as the police, the fire service, and the health service.

A third reason why the public sector has become an important employer of women is that it has a high proportion of jobs that are well-paid. In 1995, the average salary of a public sector employee was £18,000, compared with £15,000 in 1980. This is due to a number of factors, including the fact that the public sector has a high proportion of jobs that are in the higher grades of the public sector pay scale, such as the senior civil service and the senior police officer.

There are a number of other reasons why the public sector has become an important employer of women. One reason is that the public sector has a high proportion of jobs that are secure. In 1995, 85% of the public sector workforce were employed on permanent contracts, compared with 75% in 1980. This is due to a number of factors, including the fact that the public sector has a high proportion of jobs that are essential to the functioning of the state, such as the police, the fire service, and the health service.

Another reason why the public sector has become an important employer of women is that it has a high proportion of jobs that are flexible. In 1995, 15% of the public sector workforce were employed on flexible contracts, compared with 5% in 1980. This is due to a number of factors, including the fact that the public sector has a high proportion of jobs that are essential to the functioning of the state, such as the police, the fire service, and the health service.

A third reason why the public sector has become an important employer of women is that it has a high proportion of jobs that are well-located. In 1995, 65% of the public sector workforce were employed in the London area, compared with 55% in 1980. This is due to a number of factors, including the fact that the public sector has a high proportion of jobs that are essential to the functioning of the state, such as the police, the fire service, and the health service.

There are a number of other reasons why the public sector has become an important employer of women. One reason is that the public sector has a high proportion of jobs that are well-qualified. In 1995, 85% of the public sector workforce were employed in jobs that required a degree or equivalent qualification, compared with 75% in 1980. This is due to a number of factors, including the fact that the public sector has a high proportion of jobs that are essential to the functioning of the state, such as the police, the fire service, and the health service.

Another reason why the public sector has become an important employer of women is that it has a high proportion of jobs that are well-structured. In 1995, 65% of the public sector workforce were employed in jobs that were well-structured, compared with 55% in 1980. This is due to a number of factors, including the fact that the public sector has a high proportion of jobs that are essential to the functioning of the state, such as the police, the fire service, and the health service.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, June 4, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. DARKINS

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Could we please have a moment of silence for Jack Masloff, the husband of the Mayor, who recently passed away.

PRESENTATIONS

Mr. Milliones presents

No. 2717 WHEREAS, Jobs with Justice, since 1987, in towns and cities across the country, has mobilized workers at the worksite and joined in community coalitions to support workers in their battles with corporations and public employers; and

WHEREAS, Jobs with Justice will build a second nationwide activity on health care with a Justice Health Care Action Week; and

WHEREAS, Jobs with Justice will join with other labor unions and citizen groups as well as seeking the support of employers to join in the fight for national health care; and

WHEREAS, Jobs with Justice, on Thursday, June 6th, in at least one location in every state, will demonstrate against the administrative waste of private insurance companies; and

WHEREAS, Jobs with Justice has identified the private insurance industry in playing a major role in blocking national health

care reform which contributes significantly to runaway health care costs and denies access to coverage to millions of Americans who need it most; and

WHEREAS, Jobs with Justice Coalition and participating organizations will distribute ballots which allow signers to vote for health care for all.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the week of June 3rd - 9th as Jobs with Justice Health Care Action Week in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Milliones:

As you are aware, probably the most difficult problem that we as a nation face is the lack of health care in this nation. There's a great deal of discussion now at the national level.

We have with us today Penny Crowley from the Jobs with Justice Coalition to say a word about this issue.

Ms. Crowley:

Thank you, and I'd like to thank the Councilman for bringing this resolution and declaring this Health Care Action Week in Pittsburgh.

Jobs with Justice is a coalition of labor, citizen, religious and women's organizations who have come together this week to draw attention to the health care crisis in our nation. This crisis is now entering its third decade and we

think it is time to take some action.

We'd like to invite all of you to join us Thursday at 12:00 noon in Market Square for a demonstration against the waste in the private health insurance industry.

Between 25 and 33 cents of every premium dollar goes to pushing paperwork back and forth. We want this money to be spent on health care for all by switching to a national health care system. We can save the nation approximately \$60 billion and get health care for every uninsured American.

Once again, that's Thursday at 12:00 noon at Market Square. Please be there to join us. Thank you.

Mr. Regan:

I'd like to call Ed Santa and his family up here, please. Mrs. Santa, Eddie Santa. Even Aunt Gladys showed up to see you.

Mr. Regan presents

No. 2718 WHEREAS, Ed Santa, a North Side native, as Assistant Baseball Coach at The Ohio State University, led the Buckeyes, ranked 12th in the Country, to a Big 10 Conference Championship for the first time since 1967, and to the semi-final round of the NCAA Division 1 Midwest Regionals with an overall record of 53-13; and

WHEREAS, Mr. Santa began his education at Nativity of Our Lord Grade School, followed by North Catholic High School, went on to receive his Bachelor's Degree in Communication from the University of Richmond where he graduated Magna Cum Laude and earned Phi Beta Kappa honors, and most recently received his Master's Degree in Athletic Administration from Kent State

University; and

WHEREAS, Mr. Santa's outstanding dedication and unending commitment to the youth of our City and the game of baseball have been proven through efforts at numerous baseball clinics such as those sponsored by the University of Pittsburgh; and

WHEREAS, prior to his position at Ohio State, Santa served as an assistant at the University of Pittsburgh and also as a graduate assistant at Kent State University.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Tuesday, June 11, 1991 as Ed Santa Day in the City of Pittsburgh and commends him for his efforts to keep the spirit of baseball alive in those around him.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

It could only happen in the North Side.

Mr. Regan:

It could only happen in the North Side is right.

I'd like to introduce his father, Eddie Santa, and Mrs. Santa. His father was a great pitcher when I was playing baseball. I know he's a lot older than me but we played at the same time. He was so good that one time I wasn't even in the game and he struck me out. That's how good he can pitch.

This is his Aunt Gladys, his cousin

Bobby, and my Administrative Assistant, his sister, Amy.

Eddie, do you want to say a few words?

Mr. Santa:

I'd like to thank Mr. Regan for bringing this honor upon me. And I'd like to say that only in America could a little boy from the North Side be so honored in the hallowed hall. Thank you very much.

Mr. Regan:

Now I'd like to have the famous Carlisle family to please come up here. Everybody, please. This is six generations of Carlisles that have kept their business on the North Side and we're proud of them.

Mr. Regan presents

No. 2719 WHEREAS, Carlisle's of Pittsburgh, bridal, formal and tuxedo specialists since the beginning of its existence in 1888, has operated a successful business on the North Side of Pittsburgh; and

WHEREAS, 103 years ago Sophie Carlisle founded Carlisle's which is now into its fifth generation of administrators; and

WHEREAS, Carlisle's of Pittsburgh's diverse selection and excellent service has pleased men and women for over a century with styles for proms, after 5, pageants, weddings and more; and

WHEREAS, Carlisle's President Betty Workman and Vice President Blaine Workman, along with the entire Carlisle's staff, are to be commended for their outstanding dedication and quality service.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Tuesday, June 4, 1991 as Carlisle's of Pittsburgh Day in the City of Pittsburgh and would like to extend best wishes for the continued success of such a fine family establishment.

Mr. Regan moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Regan:

These here youngsters, this is the sixth generation. Do you want to stand up there, Joey and Derek and Lindsey.

Do you want to say something, Lindsey? Do you want to thank the people? You're not like the Councilwoman we have here.

Speaker:

I'd just like to thank Councilman Regan for this honor. My goodness, we were probably 80 years old when he was being struck out on the North Side in that famous ballgame.

We'd just like to thank you also for the honor. We are having a wine and cheese reception at the store today and consider this your invitation if you can make it to the North Side to stop in and enjoy that with us.

Thank you very much, Councilman.

Mr. Regan:

You know, when you gave that invitation, you know you're on television. You may get a hell of a lot more people than you want down there. But that's okay; we appreciate it.

Good luck to you and thanks for staying on the North Side. We appreciate it. And especially staying in the City of Pittsburgh. Good luck to you.

The Chair:

Thank you all.

Our final resolution will be presented by Councilwoman Madoff and I understand it's her 13th year today on Council.

Michelle Madoff:

I think you all ought to applaud. I have survived 13 years. In 2-1/2 it will be 15-1/2.

I was elected in the special election in May of 1978 when Dick Caliguiri went from Council to Mayor, and I took office in June of that year, and that's 13 years ago today.

This resolution is an intent, an in-principle resolution, so that we can get something corrected that I believe was just merely an oversight in the Home Rule Charter.

Michelle Madoff presents

No. 2720 WHEREAS, Article 5, Section 505 of the Home Rule Charter, mandates that "On the second Monday of the eleventh month of each fiscal year, the Mayor shall present both proposed budgets to Council with a message explaining them. Council shall adopt by resolution an Operating and a Capital Budget before the end of each fiscal year."; and

WHEREAS, Article 4, Section 404 of the Home Rule Charter, also provides that the City Controller must "submit an annual verified report to Council showing revenues, receipts and expenditures; the sources from which the

revenues and funds are derived and how they have been disbursed"; and

WHEREAS, the Home Rule Charter does not provide for a date by which this important annual report must be submitted; and

WHEREAS, in both the private and most other cities annual reports are provided for no later than the first quarter of each year, April 1.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh places a referendum question before the voters in the 1991 November election to amend the Home Rule Charter to establish the first day of May as the date by which the Controller must submit the City's annual financial report to Council and to the Administration. This allows for the first quarter plus 1 month's grace.

The referendum question shall read as follows:

Whereas the annual verified report is not produced in a timely manner, the Controller of the City of Pittsburgh must produce the annual verified report showing revenues, receipts and expenditures; the sources from which the revenues and funds are derived and how they have been disbursed no later than the first day of May, which is the first quarter plus one month's grace.

Michelle Madoff moved to adopt the resolution.

Mr. Coyne seconded the motion.

Michelle Madoff:

I would like to make a comment, if I may, Mr. President.

I had spoken to Peat Marwick about the

possibility of doing the annual certification on a quarterly basis, which is what is done in the private sector. You don't wait until the end of the year and have to go back and do a year's work. And you can do quarterly, quarterly, quarterly, since you have the first quarter of the next year.

Now, many industries or major corporations do it in January. March is the latest. I'm allowing the first of May, giving a month's grace. And it also won't affect this year; it will be next year. We're obviously past that due date.

Let me point out that last year, because the annual report was not ready, we went out on a short term note and it cost the City taxpayers \$165,000. And they do this frequently. I've talked to the Finance Director, Mr. Hayllar, and what I understand is that if you know what's going to be out the first of May or the end of April, and who knows, we might even get it out in March if somebody really means to do it, you punt. You borrow from one code account to the other because we need that capital money to do our highways and roads and so on, and you just wait and go out a month or so later.

Now, what does it mean? If you have your annual report ready, what you can do is go out in the market during the time where you have the opportunity to take advantage of a window opportunity, low interest rates. It doesn't tie our hands.

So, all I'm saying is that we have an intent here that we have the annual report by the first of May so that we don't tie the hands of the Administration and this Council in having the problem of getting the audit done in time.

There's one issue that maybe Council is not familiar with and I'd like to share with you. One of the delays in the annual report is the fact that our municipal pensions, that's police, fire and municipal pensions, are not audited in a uniform

manner. Each one has a different way of doing it. That would mean the Administration and the Controller's Office would have to sit down and come up with an agreement between all parties so that we can expedite. Everybody has a role. This is not just the Controller, but it's the Administration and Council. We all have a role in seeing that the audit, the annual report is done in time. And all I'm suggesting is that we put a referendum question that says no later than May 1st.

The Chair:

Point of Clarification for the public, certainly Council is aware of this. This is simply a read and adopted resolution. This is not a formalized resolution or piece of legislation. That would be required in order for this to go on the ballot as a referendum question in November. Councilwoman Madoff is introducing that type of resolution today. That requires a public hearing at a later time and a formal vote of Council which would occur probably in the next four to six weeks.

Mr. Ferlo:

I just want to object to the procedure here of using the proclamation form which traditionally has been an opportunity for Councilmembers to pay tribute or to give highlight to a particular issue or cause or an individual or a community group or what have you. This is basically a discussion that needs to be outlined, not only by Michelle who has also presented an actual piece of legislation, a resolution, setting up the question on the Home Rule Charter. So, I just object to the manner in which we're discussing this. This doesn't provide us any opportunity to discuss the merits of this legislation.

Michelle hinted on one issue, and that is the problem with the Pension Board not having a

uniform accounting system and that information not being made available to the Controller. In fact, it's my understanding that the Controller's activities relative to the annual audit were completed at the end of March. What is actually holding it up, as Michelle has outlined, is information from the Pension Board as well as information from Finance on the fixed - In other words, there's a whole discussion about the elements of what the activities are to complete the audit. They involve the Mayor's Office, they involve the Finance Director and the Department, they involve the Pension Board, they involve the independent Water and Sewer Authority which has not supplied some information regarding the value of our infrastructure.

So, I just object to the procedure by which we're passing this general resolution and I'm voting no on that basis.

The Chair:

The purpose of a read and adopted is really not to lock Council in, and I believe, and if I may add, there's going to be lengthy discussion on this issue at a later time including, I'm sure, the Controller.

Mr. Ferlo:

But we're being asked to vote on putting something on the ballot that we don't even have an opportunity to debate or discuss here. We don't have an opportunity to call the Controller to the table to ask him, interrogate him regarding his activities. We also don't have the ability to bring the Administration to the table to get their reaction.

We're being asked to lock ourselves into a vote, albeit a non-binding resolution of Council. If there was a general resolution by the colleague saying that we want timely audits, I would be all for it. But that's not what this resolution states.

Michelle Madoff:

I think the resolution does say that and, if memory serves me well, being my 13th anniversary present, any Member of Council has the right to give a resolution whether it's on the sex life of the tse tse fly or whether you want to honor somebody or whether you want to point out a problem.

We can give a resolution on anything we want to give and I think this is an important resolution saying that we have the intent, that we are, in principle, saying that by May 1st whoever is the Controller should have an annual report to this Council. That's all we're saying.

I spoke with you before and explained that and said that I'm just saying that it should be by May 1st and you said that if it's a reasonable date you had no problem.

The Chair:

We are not going to get into a debate on this issue.

Michelle Madoff:

This debate will come up in an orderly forum. But may I explain why I did it this way?

Mr. Cohen:

Point of Order. Would you call the question, please? This is a proclamation.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES 2

(MR. FERLO AND MR. REGAN VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

If I could ask to introduce three distinguished people from China, our Sister City. They weren't here during the proclamations or I would have done this sooner.

I would like to give them a nice big hand to honor them and thank them for being here.

The Chair:

Thank you for coming, and thank you, Mr. Regan.

Mr. Cohen presented

No. 2695 An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order, by adding a new section entitled "Prohibited Billing Practice" to prohibit the use of negative option billing.
---(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Public Safety.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 2696 An Ordinance amending the Pittsburgh Code, Title Nine, "Zoning", Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing: From "C3" Commercial District to "R4" Multiple-Family Residence District all that certain property bounded by: WOODWORTH STREET; Lots No'd. 150 and 147, Block 51-K in the Allegheny County Block and Lot System; the "R4" Zoning District Boundary Line located between WOODWORTH STREET and CYPRESS STREET; the "M3" Zoning District Boundary Line located between BAUM BOULEVARD and GROSS STREET; Lot No. 238 Block 51-K in the aforesaid System, 8th Ward, Council District No. 8. ---(**SPONSORED BY MR. COHEN**)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo for **Mr. Darkins** presented

No. 2697 Resolution granting unto Morris and Sheldon Levine, 5513 Penn Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, the grading and paving on a portion of the unimproved right-of-way of Dunkirk Street in the 11th Ward, 9th District of

the City of Pittsburgh. This request is made by Morris and Sheldon Levine that in order to utilize the existing drive, the unimproved portion of Dunkirk Street must be graded and paved.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2698 Resolution authorizing the submission of enterprise zone applications with the Commonwealth of Pennsylvania Department of Community Affairs for financial assistance for 1991 for the Lower North Side, Lawrenceville, and East Liberty Enterprise Zones.

Also,

No. 2699 Resolution providing for an Agreement or Agreements with Action Housing, Inc., for provision of services in connection with the "Study of Housing Needs for Special Populations", at a cost not to exceed \$8,450.00, chargeable to and payable from the 1989 CDBG Program, Department of City Planning, "Administration".

Which were read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 2700 An Ordinance directing the Allegheny County Board of Elections to place before qualified voters of the City of Pittsburgh a referendum question as to the duty of the City Controller to submit the annual audit of May 1 of each year. ---(**SPONSORED BY MICHELLE MADOFF**)

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by

providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2701 Resolution providing for the transfer of funds totalling \$175,000.00 from Code Account 1926, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1927, Refunds, Administration Division, Department of Water. Additional funds are needed in the refund account to carry the division through the balance of the year.

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 2702 Resolution providing for the issuance of a warrant to Darlene Lane in the amount of \$5,000.00 in full settlement of claim for personal injuries, arising from a dog bite from a K-9 dog on North Frankline Street in the City of Pittsburgh on October 2, 1988, payable from Code Account No. 46, Judgments.

Also,

No. 2703 Resolution Repealing Res. No. 873, Item H, eff. Nov. 24, 1989 which authorized the sale of property in the 26th Ward, being a vacant lot 20 x 100, located at 508 Chautauqua Street, designated as Block 46 J, Lot 156, to Benjamin Perez, for the sum of \$300.00. The reason for the above repealing resolution is that it was discovered through the title search that the City does not have marketable title to the property

as originally submitted.

Also,

No. 2704 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 2705 Resolution providing for a Contract or Contracts to purchase LIFE PAK 10 for the Bureau of Emergency Medical Services at a cost not to exceed \$61,764.00, chargeable to and payable from Code Account 1423, Equipment, Bureau of Emergency Medical Services, Department of Public Safety.

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 2706 Resolution Repealing Res. No. 307, appr. March 26, 1990, entitled "A Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 16th Ward of the City of Pgh. in the Deed Registry Office of Allegheny County, designated as Block and Lot Numbers 12-P-152 Part, 13-F-151, 13-E-220, 13-F-32, 13-F-29, 13-F-1, 13-K-1, 13-E-280, 13-E-255, 13-J-8, under the Residential Land Reserve Fund, for the sum of \$1.00 plus all necessary and incidental expenses. All sums shall be paid out of the monies of the Residential Land Reserve Fund." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on

Planning, Housing and Development.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 2707 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pgh., PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of June 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 3, City Council. **—(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2708 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to change the name of McKinley Little League Field to Loretta Miller Field, in McKinley Park, 13th Ward, City of Pittsburgh. **—(SPONSORED BY MR. WAGNER AND MR. RICCIARDI)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the

meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 2709 Communication from Council President Jack Wagner, requesting permission for Michael Brady, Administrative Assistant, to attend the 1998 Goodwill Games briefing session in Atlanta, Georgia, June 5 - 6, 1991, at a cost not to exceed \$800.00, payable from Code Account No. 1001-3, Education and Training, City Council.

Which was read and referred to the Committee on Finance.

Also,

No. 2710 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of Securities pledged as collateral by City Depositories as of January 31, 1991, February 28, 1991 and March 31, 1991.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 2636 Resolution appointing Norbert V. Rebholz, 300 Suncrest Street, Pittsburgh, PA 15210, as a District 4 Member of the Pittsburgh Cable Communications Advisory Committee, to fill the unexpired term ending December 31, 1991.

Which was read.

Mr. Ferlo moved to approve the appointment.

Mr. Coyne seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 **NOES none**

And a majority of the votes of Council being in the affirmative, the appointment of Norbert V. Rebholz was approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2711

Report of the Committee on Finance for May 29, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2650

A Resolution entitled, "Resolution authorizing

the issuance of a warrant in favor of Pittsburgh Hilton and Towers, in an amount not to exceed Ten Thousand Eight Hundred Ninety-Four Dollars and Sixteen Cents (\$10,894.16) in payment for the Citiparks Senior Center Program Volunteer Recognition Gala and providing for payment thereof, Interim Approval has been previously granted."

Which was read.

Also,

Bill No. 2667

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Stadium Authority in the amount of \$1,820,000.00 for Various Capital Improvements; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 **NOES none**

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2681

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the purchase and delivery of computer software, support and training for installation of a fund accounting system at a cost not to exceed ten thousand dollars (\$10,000.00) for the Department of Personnel and Civil Service Commission, Employment and Training Grant Administration Division, chargeable to and payable from the JTPA-1 Code Account, Index Code 260307."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Millions
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 2712

Report of the Committee on Public Works for May 29, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2639

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title 4 - Public Places and Property, Article I - Streets and Sidewalks, Chapter 416 - Obstructions, Section 416.01 Minor Street Obstructions; Permit Required, and Section 416.03 Street Encroachments and Major Street Obstructions; Permit Required, by requiring notice of abutting and adjoining property owners."

---(SPONSORED BY MR. COHEN)

Which was read.

Also,

Bill No. 2646

A Resolution entitled, "Resolution granting unto M & T Partners, 1200 Reedsdale Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, the grading and paving of a portion of the roadway of Boyce Street and Sproat Way in the 21st Ward, 6th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2647

A Resolution entitled, "Resolution granting unto Robert O. Masteller, 255 Lelia Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an off-street parking area on a portion of the right-of-way of Oldham Street in the 19th Ward, 4th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2648

A Resolution entitled, "Resolution vacating Watson Way from Forbes Street to Watson Street in the 4th Ward, 6th Voting District of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 **NOES none**

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2713

Report of the Committee on Planning, Housing and Development for May 29, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2649

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1991-1992 Community Development Block Grant Program; and providing for the payment of the costs thereof."

Which was read.

Mr. Ferlo:

I move to recommit Bill No. 2649.

Mr. Ricciardi seconded the motion.

Mr. Ferlo:

Let me just explain briefly. We did ask the Director to supply some information regarding the use of some of these funds of the part under this bill that relates to the Administration utilizing the CDBG dollars. We asked on the issue of payment of legal fees and settlements and race and gender bias suits that were filed and judgments that were issued against the URA, the issue being whether or not CDBG

dollars were being used to pay the judgments. I don't believe we received the information.

Mr. Milliones:

Mr. President, Mr. Whitmer called me shortly before the meeting this morning and indicated that, Mr. Ferlo, indeed he had talked to you and indicated to you that in fact 80 percent of the judgment that was paid to an employee did come out of CD funds. However, that was the approximate amount of time that the employee spent working on a CD project.

Regardless of that, I would strenuously object to holding projects like Crawford Roberts as hostage relative to holding this bill. So, I would ask my colleagues to not vote to support the motion to recommit, rather than to free these funds.

We have been working for something like 10 years for the first major development to come along in the Hill District in the City of Pittsburgh and I'm offended that we would attempt to hold this, given the importance of this development and where it stands in terms of this deal being closed.

The issue as to whether or not CD funds should be used to pay judgments, I think we'll provide ample opportunity to discuss that in the future. But I don't think this project and many others should be held hostage.

The Chair:

If I may ask, was there a request for a formal response for the URA on this issue?

Mr. Ferlo:

There was a request at the last Committee Session for a written response from the URA regarding the use of these funds.

With all due respect to Dr. Milliones, I resent the characterization that my request for recommitment is holding any project hostage be it Crawford Roberts or any of the sort.

We asked for some written information that has not been received. I don't desire to hold up any project. I have just as many neighborhood projects in this pot of money as Dr. Milliones has regarding Crawford Roberts. Recommitting this doesn't delay any of these project in terms of transferring of dollars that will ultimately be recieved by the URA.

Secondly, if you want to discuss the merits of the legislation, I'll withdraw my motion to hold. But we asked for information. I personally would have to vote no on this legislation that is being submitted because I do not believe that CDBG dollars should be used to pay judgments.

Mr. Milliones:

Nor do I necessarily agree that those funds should be used; however, they were. Additionally, Mr. Whitmer said that he did talk to you and indicate the same thing -

Mr. Ferlo:

I never said that I didn't talk to Mr. Whitmer. I said that -

Mr. Milliones:

You said that you didn't receive any information and I don't think that's true.

Mr. Ferlo:

Dr. Milliones, I said that we did not receive written information that we had requested from the last Committee Meeting.

The Chair:

If I may interject, Mr. Perry, did we ask for a written response?

Mr. Perry:

There was a request at the table for a written response.

The Chair:

There have been repeated instances where the Administration has not provided this Council with information that we have requested, and certainly this is an indication of that.

We should be receiving, this legislative body, information or at least a letter indicating why we are not receiving the information prior to us voting on legislation.

There's a motion on the floor to recommit for one week.

Mr. Ferlo:

If my colleagues would just permit me a couple more minutes. I have no problem voting on this bill today. I would like some discussion from Dr. Milliones and others. If nobody has any problem with utilizing \$80,000 or part of that out of the CDBG dollars to pay judgments and a race and gender bias suit to the URA, then we can dispose of the legislation today. I personally would have to vote no on that.

I think it's inappropriate to use CDBG dollars that are targeted to low income communities for project to assist low and moderate income communities, be it community or economic development, to pay for Administrative blunders.

The Chair:

I must interject. That is not the issue on the floor. The issue on the floor is a motion to recommit and there has been a second and we are discussing that and that only.

Mr. Coyne:

Mr. President, I think it's well and good that Mr. Whitmer may have spoken to Mr. Ferlo, but I don't think Mr. Ferlo was the only one on Council who wished to receive that information. And since I didn't receive anything in writing, I'm not prepared to go with this.

As you stated, too many times Council has asked for written information from Directors and it's not forthcoming. This is just another example and I think Council has to stand up for our own prerogatives here.

Michelle Madoff:

If anyone has been here long enough to know that we don't get answers to requests over the years, it's me. But I think the issue of the \$80,000 on the CDBG, which is a very valid point, and Mr. Milliones agrees with you, we don't hold up a significant major piece of legislation. We take it as a separate and apart issue to get the answer as to why the \$80,000 was not spent. So, I don't think we should hold it today.

Mr. Ferlo:

I just want to clarify. We are not holding any project up by recommitting this. Let's not grandstand on this thing.

Mr. Ricciardi:

Mr. President, I fully support Councilman Ferlo's motion to recommit the bill

will be discussed tomorrow.

I was very interested in receiving written information from the Director of the URA on this matter because a very pertinent question was asked at the table concerning judgments. I, myself, contacted Director Whitmer; unfortunately, we played phone tag for a few times. But written information was requested and I do not have that written information with me and if the vote come up today I would have to vote no on the bill.

Again, Council President, you did make a good point. When we asked for information, we're asking information in order to make a good decision. How can we continue to make professional decisions without the information that is requested? So I will be voting to recommit.

Mr. Regan:

I feel the same way as Councilman Ricciardi because I have asked for information from the Administration and they don't see fit to send it, even though they were given time and it was extended and I still don't have it.

I feel the same way about this. It's tough to vote on something when you don't have any information on it.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6

NOES 2

(MICHELLE MADOFF AND MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill was recommitted.

Mr. Coyne presented

Bill No. 2714

Report of the Committee on General Services for May 29, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2645

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts or for use of existing Contracts for the furnishing and delivery of refuse containers for the Department of Environmental Services, Code Account No. 1175, Index Code No. 117507, and for the payment thereof."

Which was read.

Also,

Bill No. 2651

A Resolution entitled, "Resolution providing for

the letting of a Contract or Contracts, or the use of existing Contracts for the installation of a playground safety surface for the Department of Parks and Recreation, payable from Code Account 3-10-10-1710-91, Index Code 810416, Play Area Safety Improvements, Department of Parks and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 2652

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for fence repairs for the Department of Parks and Recreation, payable from Code Account 3-10-10-1655-91, Index Code 810317, Fence Repairs, Department of Parks and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 2653

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs for the Department of Parks and Recreation, payable from Code Account 3-10-10-1700-91, Index Code 810366, Concrete Repair to Park Facilities, Department of Parks and Recreation, and for payment thereof."

Which was read.

Also,

Bill No. 2672

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective

January 1, 1991, entitled 'Resolution adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program', by increasing Project 228 (Bureau of Repairs and Operating Maintenance) by \$350,000 from \$400,000 to \$750,000."

Which was read.

Also,

Bill No. 2673

A Resolution entitled, "Resolution amending Resolution No. 45, effective date 2-12-91, entitled 'Providing for the letting of a Contract or Contracts, or to exercise against existing Contracts for various repairs and renovations to City Facilities, and providing for the payment of cost thereof', by increasing the total project allocation by \$250,000.00, from \$200,000.00 to \$450,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 2715

Report of the Committee on Parks and Recreation for May 29, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2654

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pepsi-Cola Company for the purpose of providing play equipment at no cost to the City for the benefit of the residents of the City of Pittsburgh."

Which was read.

Mr. Ferlo:

Mr. President, I'd like my comments brought forward on Bill 2654.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2654 - Wednesday, 5/29/91)

Mr. Ferlo:

Mr. Mancuso, could you supply us between now and Tuesday a copy of this agreement that you are proposing to sign with Pepsi? Do you have some type of an agreement worked out with Pepsi?

Mr. Mancuso:

I believe that the agreement is prepared. If it is --

Mr. Ferlo:

Even if it is in draft form, could you send us a copy of that?

Secondly, I think all the parks you suggested obviously need to be done. It will be a great improvement to the five that you mentioned. Certainly, as Mr. Ricciardi talked about, there is a need obviously to do additional parks throughout the system.

What is the indirect and direct value of the contribution from Pepsi?

Mr. Mancuso:

The direct contribution is \$75,000.00.

Mr. Ferlo:

In total for five playgrounds?

Mr. Mancuso:

In total for five playground. They are supplying us with the apparatus itself. That is the cash contribution. Now, because they have dealt with this company in this major program that occurs across the country, they have greater buying power, so their \$75,000.00 is actually purchasing more equipment than the city could if we went out and bid a piece of apparatus.

Mr. Ferlo:

Likely, if we were to do this with our system of bidding, it would probably be a couple hundred thousand dollars; is that safe to say?

Mr. Mancuso:

That is basically what I am saying. In addition to that, the efforts of Pepsi have been recognized by other corporate

citizens within the community, which is one of the other aspects of this that is so nice, because they were one of the first companies that stepped forward when we experienced the difficulty with the conditions in the playgrounds and volunteered to --

Mr. Ferlo:

What is the life expectancy of this equipment and who is responsible for maintenance?

Mr. Mancuso:

The city is responsible in all cases on these sites. We are, also as I mentioned, renovating the total site. So it is a job that we would have done if we would have gone into a site and looked it over, saw that it needed benches, trees, removal of asphalt.

Mr. Ferlo:

If something breaks in this playground in 30 years --

Mr. Mancuso:

We are responsible.

Mr. Ferlo:

I want to point out a double standard here. The Administration, all due respect to them, they helped us in the end on the super playground. In the super playground, we are responsible to continue a trust fund and make the repairs. On this deal with Pepsi, the city is ready and willing to make any repairs in the future on maintenance. I have no problem with that, I just want to point out that I wish you would have applied the same standard to us, instead of driving us nuts for the last year and a half.

My question are to Director DiNardo on this issue of Pepsi, if he could come up here.

Mr. DiNardo, I do not drink, Pepsi, Coke or, in fact, I don't even drink pop, soda, whatever you want to call it. I drink club soda, usually with bourbon, but that is the only thing I drink. I have never bought Pepsi, I don't like soda.

The thing I am upset about, Director, and I have talked to you in the past, here is a company, Pepsi-Cola Company, giving us well over \$75,000.00, much greater if we had to do it as a city, and we gave a contract to Coca Cola for putting their machines in the city parks, and our city buildings, here in City Council Chambers and everywhere around the city, which I am

upset about. As far as I am concerned, it did not need to be a competitive bid. We are only allowing them to have space in order to have these machines. Why should we give it to Coca Cola? They moved out of the city, the promote Star Lake Amphitheatre, they moved out of the city, the jobs aren't here. Pepsi is here in the Clark Building, there are city workers who work at Pepsi. Why have this situation?

Mr. DiNardo:

It was competitive.

Mr. Ferlo:

Coca Cola is one of the few last companies to deal with devestature with South Africa, too.

Mr. DiNardo:

It was competitively bid. Coca Cola was the low bidder. I don't disagree with you that it could have been a professional service contract. We are talking to the Law Department about a couple different scenarios with this contract. We this we can -- it is not an exclusive contract, we think we can cut segments of it out and make a second award. It is a two year contract. If we can do something in the interim, we could have second choice as Pepsi, have a dual program.

Mr. Ferlo:

The contract you signed with Coca Cola, as you said, is not exclusionary: You have the power to rebid any and all part of it.

What I would suggest is you let the Pepsi folks have the park system so they can have the machines throughout the system.

Secondly, on behalf of the employees, I think they should have an option; if they want Pepsi, or Coca Cola or whatever else they want, they should be allowed to have it in those darn machines. I don't drink it, so I am just speaking out for the employees.

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

(CONTINUATION - MR. FERLO'S COMMENTS ON BILL NO. 2654,
WEDNESDAY, MAY 29, 1991)

Mr. DiNardo:

I don't disagree with you at all.

Mr. Ferlo:

With Pepsi Cola giving us \$75,000.00 plus and with Pepsi-Cola keeping the company here in the Clark Building and Coca-Cola giving us the shaft by moving and promoting Star Lake Amphitheater, I wouldn't even deal with Coca-Cola.

Mr. DiNardo:

The professional service contract review process takes those issues into account, the bidding process does not.

Mr. Ferlo:

It's the same thing where we didn't bid the Salvor contract, we awarded it.

Mr. DiNardo:

That's right.

Mr. Ferlo:

Please do that and I'll vote for Pepsi.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOGRAPHIC REPORTER

Mr. Ferlo:

I do want to express a concern to the Administration. This is the agreement with Pepsi Cola Company. I want to applaud the actions of the Pepsi Cola Company in granting upwards of \$75,000 to the City for the construction of five of these so-called Pepsi Cola Playgrounds around the City.

I hope that there will be support in the future on some of the other playgrounds that need to be repaired and renovated all around our neighborhoods.

I do want to note, however, that the Administration awarded a contract to the Coca Cola Company. Again, I don't drink pop; I don't like Pepsi and I don't like Coke, so I'm being unbiased here regarding preference. But I think, here's a company, Pepsi Cola, that has given in cash \$75,000, in kind probably \$200,000 worth of play equipment, and the several hundred machines in City buildings and in parks and the Public Safety Building, the Police Department and Fire Stations, are Coca Cola machines. It seems like a small point, but I don't think it is.

I think we have an obligation to allow Pepsi to have machines throughout our City system. We're talking about upwards of 400 machines all around the City. Coca Cola moved out of the City; Pepsi Cola stayed in the City. They have several hundred jobs in the North Side at the Clark Building. Coca Cola actively promotes the Star Lake Amphitheater which denegrates the participation at the Civic Arena and I just think that we should pay Pepsi back and allow them to do business here in the City of Pittsburgh at our public buildings.

Mr. Ricciardi:

Mr. President, I'll also be voting yes on this bill, but it's sort of an embarrassment to the

City of Pittsburgh that we would accept this play equipment from this pop company and take over the maintenance of it; whereas with the Highland Park new recreation facility, we forced the community there to retain their maintenance to go out and raise money and to raise \$30,000 into a trust fund for the maintenance of that new park. There definitely is a double standard there and it's very disappointing and really an embarrassment to us for that.

Michelle Madoff:

I think this whole conversation is becoming amusing with no disrespect to my favorite colleague, Mr. Ricciardi, and to Mr. Ferlo, my least favorite.

The fact is, I appreciate the commercial. I think it's wonderful that he gave a commercial for the Coca Cola and Pepsi Cola Companies, but the fact is that the City is in dire financial needs, Mr. Ricciardi, and this is creative financing. I think that we ought to see more of the kind of thing that happened out at Highland Park, for which I commend Mr. Ferlo. I think he did an outstanding job.

And I believe, and somebody ought to check before we start making these accusations, I think we award the contracts to the lowest responsible bidder. Perhaps Coca Cola bid cheaper than Pepsi. I don't know, but I sure would like to know.

Mr. Ferlo:

Just to clarify, Mr. President. There was no need for a contract in terms of competitive bid. This was a professional service arrangement whereby we allow a company to place their machines on our property.

The Chair:

That's not the issue in front of us. We are not voting on that contract.

Also,

Bill No. 2655

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed \$600,000.00, and shall be chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 2716

Report of the Committee on Engineering and Construction for May 29, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2640

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of the Chadwick Outdoor Recreation Area; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2641

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Willie Stargell Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2642

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Purchase of Equipment and the Renovations to the City-County Building Department of Finance Second Floor; and

providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2643

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by providing funding for EC-403 (Renovations to Finance Department Offices)."

Which was read.

Also,

Bill No. 2608

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled, 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by amending the title of EC91-505 to read 'City-County Building Trust Fund Transfer'."

Which was read.

Also,

Bill No. 2609

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as the 'City-County Building Trust Fund' for the deposit of funds to be used for the Renovations to the City-County Building."

Which was read.

Also,

Bill No. 2610

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for Renovations within the City-County Building, including electrical service and switchgear; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

Mr. President, I introduced a bill today to prohibit negative option billing which our cable monopoly, TCI of Pennsylvania, has announced that it will implement very soon. We will be discussing the bill itself at our Wednesday session tomorrow, but I just wanted to give a very brief background this morning.

What has amazed me in this whole TCI Encore affair is the company's incredible stubbornness. This Council hand delivered a strongly worded letter last Wednesday protesting their negative option billing plan for the Encore Premium Channel. That's the plan by which customers receive the channel before they ever ask for it and are asked to be billed for it, and are, in fact, billed for it unless they contact the company can cancel it.

We sent that letter because we believe that it is unfair for a company to ask us to pay for something which we never intended to receive in the first place.

Moreover, the National TCI has been sued by Attorney Generals in four different states for this same billing practice, and the Pennsylvania Attorney General is seriously considering a similar lawsuit. On Saturday, a Florida judge temporarily banned a TCI subsidiary from implementing its Encore plan.

I met with TCI's representative, Evan Paddock, on Friday and demanded in no uncertain terms that TCI cancel the negative option aspect of Encore. And yet, yesterday we all received this letter from Mr. Kashinski of TCI of Pennsylvania that says that despite all of the lawsuits, all of the letters and the public outcry, that TCI's intention is to continue marketing Encore as planned.

Why doesn't TCI realize that they made a mistake, an error in judgment, and move to correct that mistake? Whatever good will that TCI had left before these last few weeks is nearly gone. Instead, the National President of TCI, who happens to be a Ph.D in mathematics, has decided to go with the numbers instead of the nameless subscribers who are about to be conned out of another few bucks for TCI. He has decided to go with profits instead of protecting his customers from such deceptive practices.

Mr. President, we tried friendly persuasion and it hasn't worked. I think we have no choice but to take a stronger action and pass a law to prohibit negative option billing. The Law Department has said that we have the authority to prohibit this practice and they drafted this bill.

When Congress took away our authority, local municipalities' authority, to regulate rates in 1982, it did not take away our power to enact consumer protection laws with respect to cable television. And that's what this bill is.

If this legislation passes, if my colleagues vote for it and TCI continues its stubbornness and chooses to defy this law, it is my opinion that TCI will have breached its franchise agreement with the City. The agreement requires that TCI abide by all City laws "now existing and hereafter adopted". If TCI refuses to abide by the law, not only will it be fined, but I am prepared to initiate the process of terminating TCI's cable franchise in Pittsburgh.

I just learned that the National TCI is scheduled to have a press conference for noon today in Denver. I hope that this means that TCI has finally come to its senses and will drop this ill-fated scheme.

Michelle Madoff:

I commend my colleague, Mr. Cohen; I think you're going in the right direction.

I'd like to just add a little addendum to that. It is my understanding, as a consumer who has frequently been sent things I didn't order, that when I called the Postmaster General or talked to consumer advocates, I can keep those items; I don't have to pay for them.

So, if the consumers are listening, I think we ought to look into it. Maybe that's something you would research for us, Mr. Cohen, that if they give us the product, the cable shows, and we find out that we were billed for them, we didn't okay them, we didn't say yes we want them, that we can keep them free. And if you want to talk about profits, that's going to hit them where they live.

Mr. Cohen:

Michelle, I think that's a good point and I'd like to clarify briefly what the law is on that. There is a State Unsolicited Goods Act which says that if you receive a good, that you don't have to pay for it and you don't have to return it.

The problem here is that "goods" is defined by the UCC as being a tangible product, and that does not apply to cable.

What this bill does is it directly makes that apply to cable and says that if you receive a tangible or intangible product, like a premium channel, that the company will be fined, but also, the customer does not have to return the product or pay for it.

Michelle Madoff:

Well I'm not going to pay for it.

Mr. Regan:

I'd like to commend my colleague, Mr. Cohen. He has steadfastly stayed after TCI and I commend him for that.

I think it's with arrogance that these people continue to do these things, especially the poor people who, number one, didn't ask for those stations to start with and, number two, it's a major problem for some people if they be blind or crippled or poor or unintelligent to undo what TCI has done to them by giving them something they didn't ask for to start with.

So, I commend Councilman Cohen and he can count on me wholeheartedly to back him in every way that he sees fit.

Mr. Ricciardi:

I would also like to commend our colleague, Councilman Dan Cohen, for all the fine work he has done on behalf of the consumers of the cable company on this and on a job well done.

Mr. Cohen:

Thank you.

Mr. Regan:

Mr. President, if it's in order, I'd like to commend the famous Councilwoman for battling all the guys down here for 13 years. That could only happen in America. She's the only lady that I know that could take on 8 guys every day in Council and win most of the time.

Mr. Coyne moved to approve the Minutes of Tuesday, May 28, 1991.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Coyne moved to excuse **Mr. Darkins** for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Regan**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, June 11, 1991

No. 24

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, June 11, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. DARKINS

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Milliones:

This is a resolution that deals with the official conference or meeting of the Black Writers Conference at the University of Pittsburgh which occurred this past weekend.

Mr. Milliones presents

No. 2758 WHEREAS, the first Black Writers Conference will be held June 7th through June 9th on the campus of the University of Pittsburgh; and

WHEREAS, the Black Writers Conference is convened by the Kuntu Writers Workshop of the University of Pittsburgh in collaboration with Shooting Star Productions, Inc. and Three Rivers Arts Festival; and

WHEREAS, the Black Writers Conference is expected to register over 250 writers, scholars and artists from the Mid-Atlantic region of the United States with confirmed participants including Poet/Scholar Amiri Baraka, Novelist/Playwright/Poet Ntozake Shange, Playwright John Henry Redwood, Poet Eugene Redmond, and Literary Critic Dr. Joyce A. Joyce, along with local presenters Dr. Leon Haley, Dr. Brenda Berrian, Dr. Ralph Proctor, Dr. Dennis Brutus and Reverend Sampson Cooper.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh joins in the inauguration of the first Pittsburgh Black Writers Conference and its goals to educate, encourage and teach writers, readers and the community about the rich legacy of African American writing.

Mr. Milliones moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Milliones:

Thank you, Council. As I indicated, this Conference did occur this weekend and, as I understand, it was quite a success. I, as well as Baldy, was able to attend the dinner on Saturday evening and it was very interesting and quite an affair.

I would like now to introduce Kim Jefferson who was one of the participants in the Conference.

Ms. Jefferson:

Good morning, everyone, and thank you so very much for participating in the Conference. It was a resounding success, I am so pleased to say.

My role in the Conference was one of a volunteer. Like many of us, we just pulled together to bring forth this very uplifting, riveting experience. One of the benefits that we believe that the Conference did accomplish is to continue to encourage and stimulate young Black writers in their quest to present the richness, cultural experience that we as Black Americans are so very proud of.

Thank you again on behalf of the conveners of the Conference and we look

forward to your support in 1992. This will be an annual event. Thank you.

Mr. Ferlo for Mr. Darkins presented

No. 2721 Resolution providing for the issuance of a warrant in favor of the Pennsylvania Department of Environmental Resources, in the amount of Two Thousand (\$2,000.00) Dollars, in payment for civil penalty fee for failure to register underground and aboveground storage tanks by February 5, 1990, without previous authority of law; chargeable to and payable from Code Account 1610, Miscellaneous Services, Index Code 161000.

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 2722 Resolution vacating Clark Way, Clark Street, Tannehill Street, Protectory Place, Molo Street, Hoffer's Way, Unnamed Way, Peru Street, Keating Way and Peach Way between the within named terminals in the 3rd Ward, 6th Voting District of the City of Pittsburgh.

Also,

No. 2723 Resolution granting unto the Golden Palace Chinese Restaurant, 206 Shiloh Street, the privilege and license to construct, maintain and use at their own cost and expense,

an awning over a portion of the sidewalk of Shiloh Street in the 20th Ward, 2nd District of the City of Pittsburgh.

Also,

No. 2724 Resolution granting unto Saint Michael and All Angels Lutheran Church, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk of 1618 Rhine Street in the 24th Ward, 1st District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo, Mr. Ricciardi and Mr. Coyne presented

No. 2725 An Ordinance amending and supplementing Ordinance 28 of 1990, approved November 19, 1990, which added Chapter 197 to the Pittsburgh Code to provide public officials and employees with a code of conduct, to provide education for same, and established the Pittsburgh Ethics Hearing Board, by adding a definition of "consultant" under Section 197.02, by adding a new Section 197.08 to provide for financial disclosures by public officials, City employees and consultants, and by renumbering subsequent Sections 197.08 Ethics Hearing Board through 197.15 Penalties.

Which was read and referred to the Committee on Finance.

Also,

No. 2726 Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for a cooperation agreement and a consultant or consultants for the purpose of providing architectural and design services, consumer

surveys and market studies, promotional activities, commercial revitalization planning assistance, technical assistance and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program. Cost not to exceed \$50,000.00, payable from 1991 Department of City Planning, Miscellaneous Services, Code Account No. 1103.

Also,

No. 2727 Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled, "Resolution adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program", by transferring funds from GP-552, Identification Signs for Various Locations, to the Department of Public Works, and adjusting the Summary Totals.

Also,

No. 2728 Resolution approving the sale of said property in the 12th Ward of the City of Pittsburgh, designated as Block and Lot 125-G-305 in the Deed Registry Office, known and numbered as 6725 Frankstown Avenue, by and between URA and James Johnson, Jr. for \$1,100.00. (Commercial Rehab.)

Also,

No. 2729 Resolution authorizing the URA to condemn and acquire that property in the 12th Ward of the City of Pittsburgh owned by John H. Detrick and Eufer Mary Bradford a/k/a Mary Bradford Eufer, and designated as Block and Lot 125-G-305, in the Deed Registry Office, known and numbered as 6725 Frankstown Avenue, under the Industrial Land Reserve Fund.

Also,

No. 2730 Resolution approving the sale of Block 10N, Lot 330 in the 5th Ward of the City of Pittsburgh by and between URA and Lee B. Williams, Jr. for \$5,000.00 - Industrial Land Reserve Fund (commercial construction). 5th Ward.

Also,

No. 2731 Resolution authorizing the URA to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 5th Ward of the City of Pittsburgh being designated as Block 10N, Lot 330, under the Industrial Land Reserve Fund. (commercial construction)

Also,

No. 2732 Resolution approving execution of a Contract by and between URA and Most Reverend Donald W. Wuerl, Bishop of the Roman Catholic Diocese of Pittsburgh, Successor Trustee for the Roman Catholic Congregation of St. Benedict the Moor Church, for the sale of Parcel 19 in the 3rd Ward of the City of Pittsburgh for \$1.00 -- Redevelopment Area No. 31 (parking lot).

Also,

No. 2733 Resolution authorizing the URA to acquire that property in the 3rd Ward of the City of Pittsburgh owned by Most Reverend Donald W. Wuerl, Bishop of the Roman Catholic Diocese of Pittsburgh, Successor Trustee for the Roman Catholic Congregation of St. Benedict the Moor Church for \$1.00, in Redevelopment Area No. 31.

Also,

No. 2734 Resolution approving the sale

of said properties in the 4th Ward of the City of Pittsburgh, designated as Block and Lots 11-L-23 and 11-M-107 in the Deed Registry Office, known and numbered as 2405 Fifth Avenue and 2413 Fifth Avenue, by and between URA and Regional Research, Inc. (RRI) for \$700.00 - Industrial Land Reserve Fund (Parking).

Also,

No. 2735 Resolution authorizing the URA of Pittsburgh to condemn and acquire all the City's right, title and interest in certain property in the 4th Ward, under the Industrial Land Reserve Fund. Property located at 2405 & 2413 Fifth Avenue.

Also,

No. 2736 Resolution approving the sale of Block and Lots 6-A-212 and 6-A-213 in the 19th Ward of the City of Pittsburgh by and between URA and Kapp Communications, Inc. for \$650.00 - Industrial Land Reserve Fund (Sideyard).

Also,

No. 2737 Resolution authorizing the URA to acquire said property in the 19th Ward of the City of Pittsburgh owned by the Three Taxing Bodies, and designated as Block & Lot 6-A-212, under the Industrial Land Reserve Fund.

Also,

No. 2738 Resolution authorizing the URA to acquire that property in the 19th Ward of the City of Pittsburgh owned by Maurice W. Bopp, and designated as Block & Lot 6-A-213, under the Industrial Land Reserve Fund.

Also,

No. 2739 Resolution authorizing the

submission of an application for financial assistance in the amount of \$318,000 to the United States Department of Housing and Urban Development in connection with the Rental Rehabilitation Program for fiscal year 1991, execution of grant agreement upon award, and designation of the Urban Redevelopment Authority of Pittsburgh to implement the program.

Also,

No. 2740 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh ("URA") to execute an amended Urban Development Action Grant ("UDAG") Loan Agreement and appropriated related instruments with Lemington Home for the Aged providing for a reductions of the principal indebtedness to \$94,000 payable at 6% interest over a five-year term and authorizing URA to deposit all repayments in the Small and Minority Contractors Assistance Program account.

Which were severally read and referred to the Committee on Planning, Housing and Development

Michelle Madoff presented

No. 2741 Resolution providing for the transfer of funds totalling Twenty Thousand (\$20,000) Dollars from Code Account 1926, Index Code 192609, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1974, Index Code 197400, Repairs, Purification & Pumping Division, Department of Water.

Also,

No. 2742 Resolution providing for the issuance of a warrant or warrants for payment, without previous authority of law, in the amount of \$3,258.00 to Western Union for the direct

mailing of mailgrams to remote meter customers to notify and solicit appointment from those customers who were previously difficult to reach, chargeable to and payable from Code Account 1922, Index Code 192203, Miscellaneous Services, Administration Division, Department of Water.

Which were read and referred to the Committee on Finance.

Mr. Milliones presented

No. 2743 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of grant contracts and for the filing of requisitions and other data; and providing for the deposit of funds into a bank account. Total costs not to exceed \$1,584,336.00, payable from the JTPA-1 Trust Fund, Index Code 260307.

Also,

No. 2744 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project and Transitionally Needy Project; and providing for the deposit of funds into a bank account. Total costs not to exceed \$2,273,072.00, payable from the JTPA-1 Trust Fund, Index Code 260307.

Which were read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the

bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 2745 Resolution providing for the issuance of a \$1,729.97 warrant in favor of Dawn Beckam in settlement of claim for auto damage by a City refuse truck, charging same to Code Account No. 46, Judgments.

Also,

No. 2746 Resolution authorizing the City Controller to create a special trust fund to be designated as the "Office of the City Controller's Vending Trust Fund" (OCCVTF) for the deposit of funds from vending machines to be used for the purchase of miscellaneous items.

Also,

No. 2747 Resolution amending Resolution No. 372, Item A, effective 4-29-91, which authorized the sale of a 3 story inselbrick house at 929 Anaheim Street, 5th Ward, 27-B-112, to Carol Wiggins Koshal for the sum of \$2,000.00. The reason for the amending resolution is to correct the Treasurer Sale number to read 225 rather than 255. All else in Resolution No. 372, Item A, effective 4-29-91, will remain the same and unchanged.

Which were severally and referred to the Committee on Finance.

Mr. Regan presented

No. 2748 Resolution amending Resolution No. 168, effective March 8, 1991, entitled: "Resolution providing for an Agreement or Agreements with National Night

Out for services for the residents of the City of Pittsburgh during 1991 and providing for the payment thereof", by changing to read NeighborFair Pittsburgh, Inc./National Night Out. The reason for the amendment was due to NeighborFair Pittsburgh, Inc., taking over the Administration of National Night Out.

Also,

No. 2749 Resolution amending Resolution No. 72, effective February 15, 1991, entitled: Resolution providing for an agreement or agreements with the Diocese of Greensburg, St. Joseph's Hall, for the lodging and subsistence surrounding the training of Police Recruits, by increasing the total cost from \$43,945.20 to \$47,533.20, payable from the PSTA Code Account, Bureau of Administration, Department of Public Safety, Index Code 253450.

Which were read and referred to the Committee on Public Safety.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2750 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Maps No'd. 6 & 7, by changing: From "R4" Multiple-Family Residence District to "C3" Commercial District all that certain property located on the easterly side of Nash Street; between Pressley Street and East Ohio Street, 23rd Ward, Council District No. 1.
---(SPONSORED BY MR. REGAN)

Which was read and referred to the Committee on Planning, Housing and Development.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2751

Report of the Committee on Finance for June 5, 1991 transmitting sundry resolutions to Council.

Which was read, receive and filed.

Also, with an affirmative recommendation,

Bill No. 2677

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Joe Panepinto, 725 North Beatty Street, Pittsburgh, PA 15206, in the amount of \$200.00, in payment for professional services rendered to Councilman Jim Ferlo in connection with the Community-Wide Spring Clean-up Event."

---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Coyne Mr. Regan

Mr. Ferlo
Michelle Madoff

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2678

A Resolution entitled, "Resolution amending Resolution No. 953 of 1990, entitled 'Providing for an Agreement or Agreements with the Airport Corridor Transportation Association for the benefit of the resident of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning,' by providing for the issuance of a warrant in favor of the Airport Corridor Transportation Association, in the amount of \$2,000.00 for payment of the City of Pittsburgh membership dues to the Association."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Coyne Mr. Regan
Mr. Ferlo Mr. Ricciardi

Michelle Madoff Mr. Wagner
 (Pres't)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 2682

A Resolution entitled, "Resolution providing for
the issuance of a warrant in favor of the Urban
Redevelopment Authority of Pittsburgh, in the
amount of \$9,084.00 for the purchase of Parcels 3
and 4 in the Homewood North Project for the
reconstruction of Baxter Playground, and
providing for the payment thereof."

Which was read.

Also,

Bill No. 2683

A Resolution entitled, "Resolution providing for
the issuance of a warrant in the amount of
\$10,000.00 to Charles M. Morrissey and
Dorothy Morrissey, his wife, c/o Thomas
Hollander, Esquire, their attorney, Evans, Ivory,
Moses, Hollander & MacVay, P.C., 1311 Frick
Building, Pittsburgh, PA 15219, in full and final
settlement of an alleged accident between a City
Police vehicle and Port Authority bus at or near
the intersection of Forbes Avenue and Cherry
Way on or about July 9, 1987, in the City of
Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of
Council being in the affirmative, the bills passed
finally.

Also,

Bill No. 2684

A Resolution entitled, "Resolution amending
Resolution No. 371, Item D, effective April 9,
1990, which authorized the sale of 1022-1024
Lincoln Avenue, 12th Ward, Block 124 S, Lot
227, consisting of 2-2-1/2 story, brick-stucco,
apartments on a lot 50 x 202 x 63 rr., to Chase
Development Corporation, Ltd., for the sum of
\$2,500.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo for Mr. Darkins presented

Bill No. 2752

Report of the Committee on Public Works for June 5, 1991 transmitting one resolution to Council.

Which was read, receive and filed.

Also, with an affirmative recommendation,

Bill No. 2644

A Resolution entitled, "Resolution amending Resolution No. 7, effective January 23, 1991 entitled 'Resolution providing for an agreement or agreements or the use of existing agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1991 and providing for the payment of the cost which is not to exceed \$650,000 and is chargeable to and payable from Code Account 1176, Index Code 117606, Miscellaneous Services in the Department of Environmental Services. The total of \$650,000 is for administration, marketing city neighborhoods and lot clean up services in relation to educating the public on litter,' by increasing the allocation by \$50,000.00 to \$700,000.00." (AS AMENDED IN

COMMITTEE)

Which was read.

The Chair:

Is everyone satisfied with the information we have received? I suspect so, and I want to thank everyone for that.

I'd like my comments brought forward for the Record on Bill 2644.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NO. 2644, WEDNESDAY, JUNE 5, 1991)

Mr. Wagner:

Mary Lou, what role do you play now in NeighborFair?

Ms. Daniels:

None.

Mr. Wagner:

Why isn't the Director here at the table to answer these questions?

Ms. Daniels:

I'm not sure Jack. She was out of town and she may still be out of town, I don't know. Mr. Turner asked me to come to explain this because I'm on the internal committee, the Lot Cleanup Committee that both Mr. Milliones and Mr. Ferlo are on. This project came out of the recommendation from that committee.

Mr. Wagner:

Council asked last week that a representative of NeighborFair be here to answer these questions and not that I don't think you're well versed on this. I think you're extremely well versed, maybe more so than some of the people because of your past experience with NeighborFair, but I still think that Council should have the Director of NeighborFair here to answer the questions that are being put forth. Now is the Director out of town?

Ms. Daniels:

I don't know. She was, I can check to find out.

Mr. Wagner:

I'd like to know that.

The Chair:

Before the meeting is over. Could we find out before this meeting is over if she is available?

Ms. Daniels:

I can find out.

Mr. Wagner:

I'm sure someone is watching and maybe they could notify us without you leaving the Chamber.

A couple other questions. There have been some discussions and some obvious disagreements with NeighborFair on some things, not only by this Council but also from the Board of Directors of NeighborFair. One that I'm aware of has been a request for the Board of Directors to know the salaries of the people that work for NeighborFair and to my knowledge that information has not been provided to them at least as of a week or so ago. Has that information been provided to the Board of Directors?

Ms. Daniels:

Jack, you are asking me a question I have no way of knowing. I have no relationship with the organization except independent relationships with the various board members. I have no idea.

Mr. Wagner:

That was one of the questions I wanted to ask the Director. Maybe you can answer this question. Has every neighborhood group been notified of this program and if so, how?

Ms. Daniels:

My understanding is that the request for proposal was sent to the extent of a neighborhood group list, one that NeighborFair has maintained for many years and others that have indicated some interests, other groups that may not have been on the neighborhood group list but who have indicated some interest. So yes, it has been publicized widely. We were hoping that others by word of mouth would hear about it and obviously some may have or may not have, this will help. Some discussion here at this table will help.

Mr. Wagner:

But again answering my question. Has notification been sent to every known neighborhood group in the City of Pittsburgh?

Ms. Daniels:

Yes. Every neighborhood group that was on the NeighborFair/neighborhood organization list which I know included 100 community organizations, CDC's and small business groups like Chamber of Commerce Board of Trades.

Mr. Wagner:

Could you provide Council a list of those groups before the week's out?

Ms. Daniel:

Sure.

Mr. Wagner:

In addition, in regard to the data by which they would utilize the dollars, would they contract this work out or would they do the work in-house within their organization?

Ms. Daniels:

I think that the groups have responded in different ways. Those that have responded to date, some would hire people in the neighborhood to do the work. I don't think anybody had offered to contract out with anyone but I wouldn't exclude that if that was something that they might want to do.

Mr. Wagner:

Would they utilize city residents as employees within the neighborhood group? Is that mandatory?

Ms. Daniels:

It isn't mandatory but my experience with community organizations in this city is that they certainly do work with people in their neighborhood and would not be likely to hire someone who is not a city resident.

Mr. Wagner:

I think we should mandate that as part of -- there is a lot of young people that are unemployed that certainly I would like to make sure that nothing slips through the cracks here in terms of making the opportunities first available for city residents within the neighborhood organizations and I think there is a better control of that if the neighborhood organizations are actually doing the work themselves rather than contracting it out because it is not a sophisticated amount of work with the amount of dollars that we're talking about.

Ms. Daniels:

I believe you're right. I don't think that many of them would contract out.

Mr. Wagner:

Some of those other questions I would like answered prior to finally voting on this.

Ms. Daniels:

Yes.

Mr. Wagner:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2753

Report of the Committee on Planning, Housing and Development for June 5, 1991 transmitting sundry resolutions to Council.

Which was read, receive and filed.

Also, with an affirmative recommendation,

Bill No. 2676

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University of Pittsburgh for authorization to construct a building consisting of an eight-story tower, a ten-story tower, and a two-story connecting

commons area segment as a student residence to house 624 students located at 3725 STADIUM ROAD, on property zoned 'I-C' Institutional-Civic District, 4th Ward."

Which was read.

Mr. Cohen:

On Bill 2676, with respect to the dormitories. A number of commitments have been made and many of us have been involved in that. They were made by the University of Pittsburgh, by the VA Hospital, and also by the City of Pittsburgh with respect to parking, with respect to jobs, to transportation, illegal fraternities.

I just want to say that we're going to hold those organizations to those commitments and hopefully they will be fulfilled soon.

Mr. Ferlo:

Mr. Chairman, I do want to comment on Bill 2676, only to make a statement here relative to procedure.

Here's a good example where there was a controversial conditional use exception. I just want to point out for the Record, and also applaud Council as a body, that rather than just sit in a public hearing process which really would not have accomplished that much, under the leadership of Dr. Milliones we were able to actually go out and with a sight visitation actually assist in bringing some major powers together to try to resolve some problems for the neighborhood.

I just hope that we can use that as an example of other actions that we need to take in the future rather than sit here time after time at public hearings only being talked to. I like the leadership that was shown by Dr. Milliones in

bringing people together, especially Councilmembers, getting out there, bringing the powers that be, in this case, as Mr. Cohen talked about, the VA, the University of Pittsburgh and others, in really moving forward in helping to resolve the problem. I hope we do that more in the future.

The Chair:

I'd like to add to that that every time we've had a site visit pertaining to any Councilmember's district, it seems as if it has been fruitful.

Michelle Madoff:

I appreciate it in my area as well.

But one of the things that we shouldn't forget, that over the years when I have had problems in the community, one of the things that our constituents forget is that our crystal balls don't work too well and we don't know about something unless we're contacted. When the gripes go on and nobody tells us, there's nothing much we can do.

But in the previous years, I have gone out into communities when we ran at-large, and people would tell us about a problem. I remember going to Arlington, Jack, and bringing the Public Works Director and somebody from the Police Department. If there was a complaint about an overall situation we'd go up, we'd look, we'd take notes, and you'd be surprised; the Directors are very responsible. If you take them and you show them, it gets resolved.

Jack won't know about something in his area if somebody doesn't tell him. And if I get calls about something in Dan's area, he doesn't know if somebody doesn't tell him. We try to share with each other but I think there's a great responsibility on communities and community

groups to know that we're here to help, but we can't do it if we're not told about it.

The Chair:

I'd like this letter regarding the Pitt Dormitory Project to be included in the Record.

(BEGINNING OF LETTER)

June 10, 1991

Mr. Jack Wagner, President
Pittsburgh City Council
Fifth Floor, City-County Building
Pittsburgh, PA 15219

Re: Pitt Dormitory Project

Dear Mr. Wagner:

We, A. Richard Nernberg and Susan Nernberg, being the owners of properties in the vicinity of the new Pitt dormitory proposed to be constructed atop the hill near Pitt Stadium, including one at 4716-4720 Centre Avenue, and several at Blocks & Lots 26-S-158, 26-S-169 through 26-S-174 and 26-S-189 through 26-S-198, hereby oppose the conditional use approval given the above project, and urge Council to defeat it.

The basis of our opposition is as follows: The plan does not conform to the requirements of the City Ordinance regarding conditional uses (see Subsection 993.010). Specifically:

- (1) The introduction of an additional 624 college students to this area through the proposed use will be detrimental to and/or endanger the public health, safety, morals, comfort or general welfare of the residents of the neighboring areas and specifically those who reside in the above blocks.

-
-
- (2) The proposed use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes permitted, or substantially diminish or impair property values within the neighborhood because the present balance of residents and students will be greatly disturbed.
- (3) The establishment of the proposed use will impede the normal and orderly development and improvement of surrounding property for uses permitted in that district.
- (4) Adequate utilities, access roads, drainage and other necessary facilities have not been provided.
- (5) Adequate measures have not been or will not be taken to provide ingress and egress designated so as to minimize traffic congestion in the public streets.
- (6) The proposed use will not, in all other respects, conform to the applicable regulations or the district in which it is located.
- (7) The proposed use will not form a compatible and harmonious relationship with other surrounding existing uses which are not nonconforming.
- (8) The proposed use will not be adequately served by existing and proposed public utilities, improvements and facilities.

For the above reasons, we request that, prior to approval, a hearing be held by City Council so that we, through our attorney, Leonard M. Mendelson, may more formally and precisely state our objections to the proposed

conditional use.

Very truly yours,

A. Richard Nernberg
Susan Nernberg

cc: Dan Cohen (BY MESSENGER)
Michael Coyne (BY MESSENGER)
Duane Darkins (BY MESSENGER)
James Ferlo (BY MESSENGER)
Michelle Madoff (BY MESSENGER)
Jake Milliones (BY MESSENGER)
Bernard Regan (BY MESSENGER)
Gene Ricciardi (BY MESSENGER)
Joel Aaronson, Esq.
Michael Perry, City Clerk

(END OF LETTER)

Also,

Bill No. 2679

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant or consultants to conduct parking studies to determine if selected Pittsburgh residential neighborhoods meet the impaction criteria as specified in the Residential Parking Permit Program Ordinance, Chapter 549.04, in order to qualify for designation."

Which was read.

Mr. Cohen:

I would like my comments brought forward on Bill 2679, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 2679, WEDNESDAY, JUNE 5, 1991)

Mr. Cohen:

Director Downing, is this study retrospective in terms of seeing whether areas that currently have permit parking have been properly implemented and the effect of that or is it prospective in terms of looking at new areas that might get permit parking?

Ms. Downing:

The latter.

Mr. Cohen:

Okay, and to determine effective residential permit parking on the neighborhood?

Ms. Downing:

Well, it's to determine whether the area meets the impaction criteria in the ordinance which has to do with how long people park in the area, whether they are city residents or non-city residents, things of that nature. It's a technical study and we've got to ascertain the number of legal spaces, so it's the technical information to see whether the area meets the impaction criteria.

Mr. Cohen:

Is it necessary to have to -- by law is it necessary to have the results of the study before a new permit area can be done?

Ms. Downing:

Yes.

Mr. Cohen:

I'm very reluctant to vote for any money for permit parking, period. But if what you're telling me is without this money we cannot have a new permit parking area, then I guess I have no choice, right?

Ms. Downing:

Right. The other option is to go back to having a staff in-house doing it and then the effect of that will be unable to process valid requests for permit parking designation.

Mr. Cohen:

Okay.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 2680

A Resolution entitled, "Resolution authorizing a 1991 Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the transfer of funds from the Authority to fund community development corporations."

Which was read.

Also,

Bill No. 2649

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1991-1992 Community Development Block Grant Program; and providing for the payment of the costs thereof."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on Bill 2649.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 2649, WEDNESDAY, JUNE 5, 1991)

Mr. Ferlo:

Director, this bill is recommitted. My objection as I have communicated to you on the phone, my objections have to do with utilizing community development block grant monies to pay for fines and penalties and in this case paying for a judgment in the amount of \$65,600.00 of CDBG funds from 1989. This resolution specifically potentially could earmark \$175,000.00 regarding the potentiality of a judgment on an age discrimination suit. Policy-wise I disagree with using CD dollars for the judgment. Legally or regulation-wise, if you could clarify the HUD circular 887, as I read the federal regulation governing the use of block grants, it explicitly states that this would be an unallowable cost of fines and penalty and they describe fines and penalty as a cost resulting from violations of or failure to comply with federal, state and local laws and regulations, i.e., losing on an age discrimination case would make this an unallowable cost. Apparently you have a different interpretation.

Dir. Whitmer:

I do have a different interpretation, although I think there's a solution to this. Let me indicate to you what our interpretation is.

It's that a fine and penalty is not a judgment. A fine or a penalty is if you're caught speeding, if you pollute and you're penalized. Often cases in court hearings there are judgments and there are penalties, but I think we could get into the debate of the legal semantics and probably get 14 different opinions from 14 different lawyers on this. In all possibility this could be a HUD finding and we could go back and forth and debate it with HUD. I don't know the outcome of it and quite frankly I have a lot more debates with HUD than debating this since I think there is a simple solution. Can I describe that to you?

Mr. Ferlo:

Please.

Dir. Whitmer:

As you are aware, the URA's activities or probably 90 percent in CD neighborhoods with a variety of different programs and projects that we undertake, each year we are required for CD purposes to document all the activities and costs of those activities and submit them to the City. Each year that documentation far exceeds from three-quarters of \$1 million to

\$1 million in what we get in CD allocations, therefore we have CD eligible activities that are actually paid by either city dollars, revenues that we generate from other sources. So although we may disagree on this I think to save all of us time, what we would do is make an accounting change that would reflect this as we feel it's CD eligible but it would actually be paid out of those monies that exceed our CD allocation for administration.

Mr. Ferlo:

Are you then saying that in reference to the previous action that you've taken you would correct that so as to not have used any CDBG dollars for that judgment?

Dir. Whitmer:

Yes.

Mr. Ferlo:

That effect would be that you will have used general funds.

Dir. Whitmer:

Either general funds or some other source.

Mr. Ferlo:

Are you saying that would be the action that you would take relative to the potential \$175,000.00?

Dir. Whitmer:

Yes, I think that would be the case. I don't want to say that this is a fine or penalty but I don't need to get into a dispute with you and HUD because it seems I have enough disputes with them.

Mr. Ferlo:

I'm not a lawyer but when I read fines and penalties, costs resulting from violations or failure to comply with federal law, an age discrimination suit is very clearly a failure to comply with the federal law.

Dir. Whitmer:

If there's a piece of property that we take at condemnation and the appraisal -- the judge rules that the appraisal that we have is not sufficient in favor of the person taking the property and we get a judgment against this, we would pay it out of CD money. Again, I can argue with you back and forth on this.

Mr. Ferlo:

You have more than satisfied my concerns.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Ferlo:

On that bill, this is the annual allocation to the URA of Community Development Block Grant Funds that total \$8 million plus. I want to note that there was a discussion and question raised with the Director, Mr. Whitmer, and I want the Record to show that discussion.

Specifically, there's a question as to whether or not the URA should or even could use CDBG dollars to pay for judgments and court judgments issued in race and gender and age discrimination cases. In fact, they did expend \$65,000 a year ago. There's a pending judgment of \$175,000 to raise an objection about the policy as well as the legality of using those dollars. The Director is on record stating that these dollars will not be utilized to pay those judgments.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 2754

Report of the Committee on General Services for June 5, 1991 transmitting one resolution to Council.

Which was read, receive and filed.

Also, with an affirmative recommendation,

Bill No. 2674

A Resolution entitled, "Resolution amending Resolution No. 22, effective February 4, 1991, which reads: 'Providing for an Agreement or Agreements and/or a Contract or Contracts, or for the use of existing Agreements or Contracts for the leasing of office space, and the necessary services and equipment required due to the relocation and housing of the various occupants of the Public Safety Building, and providing for the payment of the costs thereof,' by decreasing the allocation by \$166,000 from \$1,230,000.00 to \$1,064,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

Bill No. 2755

Report of the Committee on Water for June 5, 1991 transmitting one resolution to Council.

Which was read, receive and filed.

Also, with an affirmative recommendation,

Bill No. 2675

A Resolution entitled, "Resolution providing for the amendment of an Agreement of Lease with Forbes Street Associates of certain space in the 441 Smithfield Street Building to extend the term thereof and to include rental of storage space."

Which was read.

Michelle Madoff:

Mr. President and Members of Council, you heard it before and I'm going to say it again and probably again and again and again and again. Here is another blatant example of part of the millions of dollars that we pay in rent when we could be owning the buildings. There are old buildings, hundred year old buildings, that I have friends, engineers, architects, lawyers, who have taken the old buildings, redone them and they own the building. These rents are becoming outrageous.

It is conceivable that when we build the new building down the street here that we would

incorporate it. But I'm willing to bet money that the Water Department will not go into that area. And I think it's incumbent upon the Finance Chair or the President of this Council to bring the Administration to the table and for us to ask the question - When are we going to stop all these rentals? What are we trying to do, help the economy of businesses in the area? That's the story I've heard in past Administrations, not this one but previously. "Well, we don't want those buildings to sit empty so we'll rent them." That is taxpayers' dollars and it's silly.

We're talking about millions of dollars. Here's an example of \$121,000 for just one small storage and rental in the Water Department. It has got to stop somewhere.

Mr. Cohen:

Councilwoman, I agree with you on this. We shouldn't be paying rent when we can be using public buildings.

We received a commitment on Wednesday that the Water Department would be going into the Public Safety Complex. I think we need to monitor that and make sure that that happens quickly. But my understanding is that it will become part of the Public Safety Complex.

Michelle Madoff:

I'll believe it when I see it.

The Chair:

Is there any further discussion on the bill?

A: on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Coyne Mr. Wagner
Michelle Madoff (Pres't)

AYES 5 NOES 3

(MR. FERLO, MR. REGAN AND MR.
RICCIARDI VOTING NO)

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 2756

Report of the Committee on Parks and Recreation
for June 5, 1991 transmitting one resolution to
Council.

Which was read, receive and filed.

Also, with an affirmative recommendation,

Bill No. 2708

A Resolution entitled, "Resolution authorizing
the Mayor and the Director of the Department of
Parks and Recreation to change the name of
McKinley Little League Field to Loretta Miller
Field."

(AS AMENDED IN COMMITTEE)

---(SPONSORED BY MR. WAGNER & MR.
RICCIARDI)

Which was read.

The Chair:

I'd like my remarks on this bill brought
forward for the Record, please.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NO. 2708, WEDNESDAY,
JUNE 5, 1991)

Mr. Wagner:

I'd like to make an amendment that it be changed to the
18th Ward.

Mr. Ferlo:

Second.

Which motion prevailed.

Mr. Wagner:

One quick comment. This actually was the recommendation of
the Mayor to change the name of this field and I commend her for
doing this. Obviously Loretta Miller was not only a dedicated
person to city government but also to the community that she
lived in, Knoxville in the 30th Ward, for literally decades and
she really made that community and put that community on the map
here in the City of Pittsburgh with many innovative programs,
one of which BLOCKWATCH and being involved in various
improvements programs including the improvement of this field
and I think it's only appropriate that the field be named after
her.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 2757

Report of the Committee on Public Safety for June 5, 1991 transmitting one resolution to Council.

Which was read, receive and filed.

Also, with an affirmative recommendation,

Bill No. 2685

An Ordinance entitled, "An Ordinance correcting Section ES 704.2.2.3 on Page 3A of the 1990 City of Pittsburgh Amendments to Article 7 of the BOCA National Existing Structures Code/1987."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Coyne moved to approve the Minutes of Tuesday, June 4, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones moved to excuse Mr. Darkins for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Coyne**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, June 18, 1991

No. 25

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, June 18, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. DARKINS

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

If the women from the Mentoring Program and the Greater Pittsburgh Commission on Women could come up now, I'd appreciate it, including Linda Johnson.

I'm very happy to read the following resolution to Council.

Mr. Cohen presents

No. 2788 WHEREAS, the Greater Pittsburgh Commission for Women has developed a Mentor Project for Pregnant and Parenting Teens designed to encourage future economic self-sufficiency among pregnant and parenting teens; and

WHEREAS, the Mentoring Project provides teens the opportunity to establish a one-to-one relationship with a working woman, exposing them to the world of work and raising their awareness of the job opportunities available; and

WHEREAS, the thirty-one dedicated working women who volunteer as mentors also provide emotional support to the teen parents and help them to develop a positive self-concept, an optimistic outlook toward their future, and a drive to succeed in whatever arena they choose; and

WHEREAS, in addition to one-to-one

mentoring, the Mentoring Project also conducts career awareness panels, and work site visits to further educate the pregnant or parenting teen.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and supports the Mentoring Project for Pregnant and Parenting Teens, and honors the women who currently volunteer as mentors to these special youth at risk.

Mr. Cohen moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Cohen:

I'd like to congratulate the Greater Pittsburgh Commission for Women and all of the Mentors for launching this very important program which will assist the mentees in becoming productive citizens.

I think it would also be great if we could have an analogous program for teenage fathers to help them meet their responsibilities as well.

I'd like to introduce the people who are here. First, from the Greater Pittsburgh Commission for Women we have Cynthia Chertos who is the Executive Director, Rhonda Page who is the Program Coordinator, and Lisa Kreutzer who I'm told runs the office there, does everything.

We also have the following people who are Mentors: Margaret DiCorpo, Darlene Brazier, Gwin Spencer, Gwen Missouri, Sharon Harper, everyone here I think knows Linda Johnson, Rhonda Lively, Jody Noble, Marjorie Harrison, and Charlotte Franklin.

Thank you very much, all of you, for taking the time to assist these young women in becoming productive citizens. What you are doing is really contributing to the City of Pittsburgh, and thank you very much for doing that.

We have copies of the proclamation for all of you so before you go let me give these to you. And Cynthia Chertos is going to say a few words.

Ms. Chertos:

Thank you, Dan, and thank you, City Council. On behalf of the Greater Pittsburgh Commission for Women, it's staff and the Board of Directors, we'd like to thank the City for recognizing this program, but we also would like to join the City in commending the wonderful support of the Mentors. The program is nothing without the 31 women who are all working and matched with teenagers who are interested in that occupation to further explore the idea of the world of work.

So, it is really the Mentors to whom we are all so grateful. They come from every walk of life. You saw a City Council representative, an employee of City Council, as well as bankers and insurance people, women from hotels, private practice, attorneys and physicians. We're very pleased to have them all and we want to thank you for recognizing their wonderful contribution to our City.

Michelle Madoff:

I would just like to mention to my colleague, Mr. Dan Cohen who has offered this resolution, and to the rest of my colleagues, words are wonderful. How about some money for the group this year? Here's a letter asking for money and we need to help them.

Mr. Regan:

I'd just like to recognize Linda Johnson, the Assistant Chief Clerk here who does a tremendous job in City Council.

The Chair:

Thank you all.

Mr. Ferlo for Mr. Darkins presents

No. 2789 WHEREAS, on behalf of the Board of Directors, Advisory Committee and the Executive Staff of the Champions Association, Inc., the people of the City of Pittsburgh are graced to once again honor the achievement of others at the Richard S. Caliguiri Middle School Memorial Awards Dinner; and

WHEREAS, it is because of the late Mayor's commitment to the Champions Association that they remain to the Amyloidosis Research Foundation; and

WHEREAS, the Richard S. Caliguiri Pittsburgh Middle School Awards Dinner will honor and recognize the top male and female academic achievers in the Pittsburgh area middle schools; and

WHEREAS, the Champions Association is an organization that is dedicated to the uplift of young people and committed to instilling in our youth the spirit of educational and personal excellence; and

WHEREAS, William R. Neal, Jr., Executive Director of the Champions Association, is an administrator who has developed innovative programming that has transformed the lives of each and every participant.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Thursday, June 13, 1991 as "Richard S. Caliguiri Pittsburgh Middle School Memorial Award Day" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Millions seconded the motion.

Which motion prevailed.

Mr. Ferlo for Mr. Darkins presents

No. 2790 WHEREAS, Ms. Erma Thompson who has served as principal of George Westinghouse High School from 1985 to 1991 will be retiring at the conclusion of the 1991 school year; and

WHEREAS, Ms. Erma Thompson has demonstrated the highest levels of academic excellence, professional integrity and human kindness; and

WHEREAS, Ms. Erma Thompson is loved and admired by her students whose lives she has changed and enriched by providing leadership and a quality learning environment; her staff who she has worked with to transform George Westinghouse High School into one of the top academic institutions in the State of Pennsylvania; and her community who has greatly benefited from young leaders she has groomed and propelled toward excellence; and

WHEREAS, Ms. Erma Thompson has always shown respect, concern, personal confidence and faith in the caliber and quality of the students at George Westinghouse High School; and

WHEREAS, Ms. Erma Thompson will leave a living legacy that will ring throughout the halls of George Westinghouse High School and

will always be with us because she dared to be by our side as we grew and she dared to believe in the fountain of promise that is the student body of "The House"; and

WHEREAS, we are all thankful to God to have been graced with a lady of Ms. Thompson's quality and statue and it is with deep respect that we honor her today and bid her a fond adieu as she retires as the esteemed principal of George Westinghouse High School.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby honors Ms. Erma Thompson for her years of dedicated service to the students of George Westinghouse High School; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims June 13th and 14th as "Erma Thompson Days" in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

The Chair:

Both resolutions were presented by Councilman Darkins earlier this week.

Mr. Ferlo:

I'd like Dan Curtis and Chuck Geiger and all the other representatives from the Braun's Workers, City Pride folks, to come on up.

Mr. Ferlo presents

No. 2791 WHEREAS, the City Pride Project has been a long, arduous two-year struggle by the former Braun Bakery Workers to

re-open a mainline bakery in Pittsburgh; and

WHEREAS, a labor-management-community-church partnership has fought to bring this mainline bakery to Pittsburgh, to provide livable wage and benefit jobs to workers and to provide consumers with a quality product through the support of Giant Eagle stores located in Pittsburgh; and

WHEREAS, bank commitments have been received from a consortium of local banks including Mellon Bank, Pittsburgh National Bank and Union National Bank, and assistance is also being provided by Point Venture Partners, the URA, the Commonwealth of Pennsylvania, the City's Job Training Agency and the National Co-Op Bank; and

WHEREAS, the Project has initiated a strong affirmative contracting and low-income resident, women and minority hiring process with the Lawrenceville Development Corp., the City Job Training Agency and the Lawrenceville-East Side Jobs Bank; and

WHEREAS, a new 100,000 sq. foot building located on 39th Street in Lawrenceville is 60% completed thanks to the support of the Buncher Company and the equipment agent which has been identifying equipment from around the country to bring to the Pittsburgh site; and

WHEREAS, a complex public-private financing package still requires the leadership of the City and strong community support in order to complete the financing, set a closing date in June-July and open for business in the fall; and

WHEREAS, the new "City Pride Bakery" Worker-Owners and Managers, along with the Lawrenceville Development Corp., will host a Pre-Grand Opening "Community Rally and Cookout" starting at noon on Sunday, June

30, 1991 on the Allegheny River at the bottom of 43rd Street adjacent to the new City Pride Bakery facility and will feature live music, refreshments and speeches from public and community leaders, as well as a Pig Roast beginning at 2:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that Pittsburgh City Council acknowledges with greatest admiration the City Pride Bakery Worker-Owners and Managers and the Bakery Workers Union Local 12 who have worked in conjunction with the partnership to organize this company, and further commends the efforts of the Giant Eagle Company, the Pittsburgh banks, the Buncher Company, the Steel Valley Authority, the Lawrenceville Development Corp., the Pittsburgh URA, the investors and all the supporters of the City Pride Bakery Project.

BE IT FURTHER RESOLVED, that the Council proclaims Sunday, June 30, 1991 as "City Pride Day" in the City of Pittsburgh in recognition of the soon to be "Miracle on 39th Street".

Mr. Ferlo moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you. This battle, and I say it's a battle because it's been a tremendous effort on the part of workers who were thrown out of work as a result of the Braun Company basically relocating its operations to Philadelphia. It has been a multi-year battle on the part of these former workers. They really pulled themselves together and with a tremendous amount of chutzpah and lots of expertise and a lot of energy and a lot of sacrifice they have been about to reach this point. And the

point is, very shortly there will be a bakery re-opening providing employment for these workers and their families and hopefully some additional workers from throughout the City.

It has been a tremendous effort. Previous City Councils were right up front in coming forward and being supportive at a time when basically these people were looking for any kind of assistance whatsoever.

I'm very excited about this project not only because it hopes to open a tremendous bakery but, more importantly, as somebody who worked in the past with the Armour workers and some of the other efforts that have failed, this is a project that hopefully will succeed, and I know it's going to succeed, and I hope it sets a new tone for City government to work in cooperation with employees who have lost their jobs and through a lot of creative and well thought out new ideas and new financing and new ways to open a bakery and a business, I'm hoping this sets a tone for other battles that will come in the future when people lose their jobs.

There's no reason why people have to be thrown on the streets. We all eat bread and eat bread products throughout Pittsburgh and Western Pennsylvania and there's no reason why we can't support our own local bakery company.

At this time I'd like to introduce Dan Curtis. He originally started out as a consultant. He's one of the king pins in this whole operation. He is now basically the President who will operate as the CEO for the Company.

And then I'd like to introduce Chuck Geiger, one of the workers of many years of Brauns from the North Side and he'll be saying a few words on behalf of the rank and file.

Mr. Curtis:

Good morning and thank you very much. This is a worker program. Our company will employ 258 jobs, good jobs. We have had tremendous support from the community and I want to thank all of you for your participation.

It's really a workers project and I'd like to turn it over to Chuck for a moment and Joe Zajack who, from the very beginning, really stuck with this program.

I have been proud to be associated for 15 months. I'm now a permanent resident of Pittsburgh and I'm going to make it my home for the rest of my life and I'm proud to be here.

Mr. Curtis:

That's a hard act to follow.

All I have to say is, really, two years ago we started this project, our people stuck together, City Council and City government back us all the way. I'm happy. We did it.

Mr. Zajack:

As Chuck said, everybody covered everything that happened here and without the people sticking together it would never have happened. It started there. And through them we were able to get Dan Curtis and get this baby off the ground.

The Chair:

Thank you all.

Mr. Regan:

I'd like to call up District Justice Joyce and District Justice Russo. I know you're both Judges but you're sitting before the Judges today.

Mr. Regan presents

No. 2792 WHEREAS, the Special Court Judges Association will hold its 18th annual convention in Pittsburgh at the Greentree Marriott from June 19-22 to foster, promote and advance the study and application of laws pertaining to, administered by, and affecting special court judges; and

WHEREAS, the purpose of the convention will also be to exchange new ideas, renew old friendships and establish new ones, as well as understand the educational value of the institution; and

WHEREAS, the Special Court Judges Association of Pennsylvania Conference is to ensure proper observation of judicial ethics and moral obligations and the dissemination of legal information for the better performance of duties; and

WHEREAS, John Sachaczinski has been the esteemed President of the Special Court Judges Association of Pennsylvania for the 1990-1991 term; and

WHEREAS, C. Roger McRae will be sworn in and will take over the responsibilities as President as of June 21, 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proclaims June 18, 1991 as "Special Court Judges Day" in the City of Pittsburgh in honor of the many hours spent to see justice done, and the dedication shown to both the Commonwealth of Pennsylvania and the City of Pittsburgh respectively. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

Judge Joyce, I'd like to give you one of our proclamations, and also Judge Russo. And we also made some up, as Mr. Perry always does, for some of the other folks who are coming in for the convention, the President of the State Association and the officers.

Judge Joyce, I'd like you to come forward and say a few words.

Judge Joyce:

I would just like to thank Councilman Regan and all the Members of Council for this proclamation. We are proud to be the host of the 18th annual conference of the Special Court Judges Association of Pennsylvania and we hope to show the other District Justices around the Commonwealth of Pennsylvania what a great City we have in Pittsburgh. Thank you again.

Mr. Regan:

This is the rich Judge, Judge Jay Russo from Sewickley.

Judge Russo:

I just want to reiterate what Judge Joyce said. All our functions are being planned in the great City of Pittsburgh. We are having over 225 Judges come into town.

Thanks to Council, thanks to Councilman Regan, for issuing the proclamation.

The Chair:

Thank you for coming, gentlemen.

There was one other resolution that was proposed, but we will hold that until next week and look for co-sponsors of that resolution along with Councilman Cohen.

Mr. Ferlo for Mr. Darkins presented

No. 2759 Resolution granting unto Anthony J. Mazzarini, 478 Marlin Drive, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a planter area on a portion of the right-of-way of Saw Mill Run Boulevard in the 19th Ward, 2nd District of the City of Pittsburgh. This request is made by Anthony Mazzarini as the planters will act as a buffer for his new car wash business on Saw Mill Run Boulevard.

Also,

No. 2760 Resolution granting unto Areena Pitts, 5 Watt Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a driveway on a portion of the right-of-way of Watt Street in the 5th Ward, 6th District of the City of Pittsburgh. This request is made by Areena Pitts that in order to drive to her property a driveway needs to be constructed over the paper portion of Watt Street.

Also,

No. 2761 Resolution granting unto Pittsburgh National Bank, Mount Washington Branch, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk of Virginia Avenue in the 20th Ward, 2nd District of the City of Pittsburgh. This request is made by Pittsburgh National Bank to construct a handicap ramp to make the banking machine more accessible to wheelchair customers.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2762 Resolution approving a Conditional Use Exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Carnegie Mellon University for authorization to construct a 3-story, 60,000 sq. ft. classroom building extension to the existing Graduate School of Industrial Administration building located at 101 Tech Street, Carnegie-Mellon University Campus, on property zoned "I-C" Institutional-Civic District, 14th Ward. (Council District #8)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 2763 Resolution authorizing the Director of the Department of Public Works to correct and rename the 4700 block of Kincaid Street to Kincaid Park as it has been so designated for many years. —(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Works.

Also,

No. 2764 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning: By creating a new "R3-A" Three-Family Residence Zoning District including regulations for use (occupancy), height, area (density and setbacks), parking.

Also,

No. 2765 Resolution amending Res. No. 507 eff. May 30, 1991, entitled "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program", so as to increase the overall 1991 Grant amount from \$15,699,992 to \$17,734.00, and reprogram these funds to the appropriate departments.

Also,

No. 2766 Resolution amending Res. No. 464, eff. June 24, 1988, entitled "Amending Res. No. 1439 of 1981, as amended by Res. Nos. 402 and 1144 of 1982; by Res. No. 933 of 1983; by Res. Nos. 102 and 285 of 1986; by Res. No. 1030 of 1987 and by Res. No. 219 of 1988 entitled 'Approving the submission and budget for the 1981 Community Development Block Grant Program'", by changing line items in the Dept. of Engineering and Construction and City Council (\$149,164.69) and adding a line item (Hill District Employment Linkage - Implementation) to the Dept. of City Planning.

Also,

No. 2767 Resolution amending Res. No. 1180, eff. Nov. 2, 1990 entitled "Resolution amending Section 10 of Res. No. 301, eff. April 24, 1984, as amended by Res. No. 728, eff. Aug. 21, 1984; and by Res. No. 284, eff. March 30, 1987; and by Res. No. 548 of 1989 and Res. No.

136 of 1990, entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Dept. of Housing and Urban Redevelopment for a grant in connection with the 1984 CDBG Program.'" so as to reprogram funds (\$700.14) from City Council to the Department of City Planning.

Also,

No. 2768 Resolution amending Res. No. 219 eff. March 6, 1987 entitled "Resolution providing for an Agreement or Agreements with Bidwell Inc., for administrative/operating assistance, in an amount not to exceed \$60,000.00", so as to reduce the amount appropriated from \$60,000.00 to \$59,958.46.

Also,

No. 2769 Resolution amending Res. No. 733, eff. July 12, 1982, entitled "Resolution providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance or other organizations for the continuation of the Anti-Crime Lock Installation Program, and providing for the payment thereof," so as to reduce the amount appropriated from \$95,000.00 to \$94,864.83, chargeable to and payable from the 1982 CDBG Program, Dept. of City Planning (CP-82-10), "Block Watch and Lock Program".

Also,

No. 2770 Resolution providing for an Agreement or Agreements with the Hill Community Development Corporation for the provision of services in connection with the Hill District Employment Linkage - Implementation, at a cost not to exceed \$150,000.00.

Also,

No. 2771 Resolution authorizing the URA of Pgh. to enter into a First Amendment to a

Neighborhood Housing Fund Grant Agreement with South Side Local Development Company providing for an increase in the grant of \$45,000.00 (from \$210,000.00 to \$255,000.00) for a total grant of \$255,000.00.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 2772 Resolution providing for conveyance by the City of Pittsburgh of certain properties, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2773 Resolution providing for the issuance of a warrant in favor of Arthur I. Young, 3134 Terrace Street, Pittsburgh, PA 15213, in the amount of \$3,000.00 in payment for professional services rendered to Councilman Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 6, City Council.
---(SPONSORED BY MR. MILLIONES)

Also,

No. 2774 Resolution providing for the issuance of a \$4,546.63 warrant in favor of St. John's Health and Hospital Center, Inc., Pgh., PA 15212 in payment for treatment of individuals as a result of a chemical spill at the North Side Public Safety Complex on July 7, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 2775 Resolution transferring \$31,500.00 from Code Account No. 1063, Misc. Services, Dept. of Finance to Code Account No. 1066, Equipment, Dept. of Finance. This request is to provide funds for the furnishing, delivery, and installation of a new mobile file unit storage system on the Second Floor for the Employer Withholding Wage & Occupation Tax and Registered Business Tax Accounts, Pgh.40 Tax Returns, W-2 Forms and Occupation Tax Deduction Statements, and Audit Files.

Also,

No. 2776 Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of a mobile file unit storage system in connection with the remodeling of the Second Floor Offices in the Dept. of Finance, and the filing and storage requirements for the Employer Withholding Wage & Occupation Tax and Registered Business Tax Accounts, Pgh.40 Tax Returns, W-2 Forms and Occupation Tax Deduction Statements, and Audit Files, Dept. of Finance, at a cost not to exceed \$31,500.00, chargeable to and payable from Code Account No. 1066, Equipment, Dept. of Finance.

Also,

No. 2777 Resolution amending Res. No. 78, Item E, eff. Feb. 28, 1991, which authorized the sale of a two story, double, frame-shingle house on a lot 58' x 90' known as 7-9 Cologne

Street, 16th Ward, designated as Block 13 H, Lot 93, together with a vacant lot 40' x 62' known as 2738 Cobden Street, 13-H-94, to Dennis C. Schlegel, for the sum of \$5,000.00. The reason for the above amending resolution is to reduce the selling price from \$5,000.00 to \$1,200.00, and to save the City the cost of razing as the structure has suffered extensive damage. The prospective buyer is willing to continue with the sale at the reduced price. (Council District No. 3)

Also,

No. 2778 Resolution Repealing Res. No. 571, Item B, eff. June 5, 1991 which repealed Res. No. 959, Item B, eff. Dec. 4, 1989, which authorized the sale of property in the 5th Ward, being a vacant lot 19.37' x 31.41', located at 649 Kirkpatrick Street, designated as Block 10 K, Lot 173A to Earmon Beck, Jr. and Henrietta M. Beck, his wife, for the sum of \$350.00. The reason for the above repealing resolution is that the balance payment was received after the forfeiture proceedings were initiated. (Council District No. 6)

Also,

No. 2779 Resolution Repealing Res. No. 382, Item I, eff. May 5, 1989 which authorized the sale of property in the 13th Ward, being 1/2 - 2 story, brick dwelling on a 24.69' x 46.66' lot, located at 508 Rosedale Street, designated as Block 175 G, Lot 63, to Grice, Inc., for the sum of \$1,000.00. The reason for the above repealing resolution is that the structure has deteriorated to an unsafe condition and must be raised. (Council District No. 9)

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 2780 Resolution authorizing the

transfer of \$8,000.00 from Code Account 1476, Misc. Services, Dept. of Public Safety, Bureau of Building Inspection to Code Account 1478, Equipment, Department of Public Safety, Bureau of Building Inspection. This transfer is necessary due to insufficient funds in Code Account 1478.

Which was read and referred to the Committee on Finance.

Also,

No. 2781 Resolution providing for an Agreement or Agreements with Kevin J. Pagnato, Executive Defensive Tactics for professional services for defensive tactics training to Detectives assigned to O.N.I., at a cost not to exceed \$7,500.00, chargeable to and payable from Code Account CNPTF (Confiscated Narcotic Proceeds Trust Fund), Bureau of Police, Dept. of Public Safety.

Which was read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 2782

Report of the Committee on Finance for June 12, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2701

A Resolution entitled, "Resolution providing for the transfer of funds totalling One Hundred and Seventy-Five Thousand (\$175,000) Dollars from

Code Account 1926, Index Code 192609, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1927, Index Code 192708, Refunds, Administration Division, Department of Water."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2702

A Resolution entitled, "Resolution providing for the issuance of a warrant to Darlene Lane, c/o Erroll S. Miller, Esquire, Rosenzweig & Kotler, 475 Union Trust Building, 501 Grant Street, Pittsburgh, PA 15219, in full settlement of a claim arising from a dog bite from a K-9 dog, in the amount of \$5,000.00, payable from Code Account No. 46, Judgments."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2703

Resolution repealing Resolution No. 873, Item H, effective November 24, 1989, which authorized sale of 508 Chautauqua Street, 26th Ward, 46-J-156, being a vacant lot 20' x 100', to Benjamin Perez, for the sum of \$300.00 as it was discovered through the title search that the City does not have marketable title as originally submitted and to refund hand money of the purchaser, Benjamin Perez, in the amount of \$100.00."

Which was read.

Also,

Bill No. 2704

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2707

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. in the amount of \$1,600.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of June 1991. Payable from Code Account No. 1001-2, City Council." --(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2700

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question as to the duty of the City Controller to submit the annual audit by May 1st of each year." --- (SPONSORED BY MICHELLE MADOFF)

Which was read.

Mr. Ferlo:

Mr. President, I'd like to make a motion to amend Bill 2700, being Michelle Madoff's bill proposing to amend the Charter on timely

submission of an annual report to May 1st. My specific amendment is before you and as follows:

Following her paragraph it would be, "All agencies, trusts and units of government shall comply in a timely manner to request from the Controller's Office for financial records statements and any other information required to complete the audit".

Michelle Madoff:

Second for discussion.

Mr. Ferlo:

Just for discussion, very briefly. I'm trying to avoid this legal disagreement or discourse on what constitutes the powers of the Controller's Office relative to the issue of authorities. We have an opinion from Dickie McCamey, we have an opinion from the Solicitor, and that's basically what I said at last week's meeting.

This avoids that issue. This is the same verbiage as it exists in the Charter already, agencies, trusts and units of government. I think it would make more real the likelihood of achieving the May 1st deadline which I think is the important issue and the actual intent of the bill in the first place.

Michelle Madoff:

Mr. Ferlo has stated much of what I was about to state, that we have had an opinion from the Controller's Office, from Dickie McCamey, and an opinion from the Law Department. I am very upset with the Administration; it's like a veiled attempt to kill off the legislation.

The fact remains that we all know that certain authorities do not -- There's a difference of opinion. The Home Rule Charter says that the

authorities do not fall under the jurisdiction of the Controller's Office, but the State law says that anything that we have any monies invested in we can audit.

I have stated repeatedly, and I will state again, that it is my belief that even though the Controller's Office may not have the legal authority to go in and audit some of the authorities, like Alcosan, they still have the CPAs, they have the freedom of information, the Sunshine Law, and could have obtained much of the information that I screamed about for ten years and then was exposed when Mr. Foerster asked Mr. Lucchino to come in and just confirmed what I said for ten years.

So, what Mr. Ferlo is stating is that we're not including the authorities. I am agreeing. So I don't know why the Administration is saying that we don't have the ability to force authorities to perform audits and to comply with our dateline.

This is a very acceptable way to me. It's the right way to proceed. Let's just go ahead, get this bill, so at least what the Controller is supposed to do is done.

I believe that people of goodwill can sit down together, and this is a thing that the Controller's Office has never done, sit down with the people who do the pension funds, they have three different ways of doing it, they're different dates, and say, "Look, you're holding up the annual report. We cannot go out into the bond market. We're having double issuance fee. Will you work with us and solve the problem?" That could have been done eight years ago, seven years, six, five, four, three, two, one.

I'm saying, we are now mandating an amendment to the Home Rule Charter which I believe was an oversight. And I agree with Mr. Ferlo, let's not cloud the issue; let's just get on with it and vote for it.

The Chair:

On the amendment, all those in favor?
Opposed?

WHICH MOTION PREVAILED.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff:

Mr. President, is it appropriate for me to ask that consideration be given to Bill 2700 so that we can get the referendum question ready for November?

The Chair:

Sure.

Michelle Madoff:

In accordance with Section 322 of the

Home Rule Charter, I move that the Effective Date of Bill No. 2700 be the date on which it is signed by the Mayor.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

Bill No. 2743

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of a grant contracts and for the filing of requisitions and other data; and providing for the deposit of funds into a bank account. Total costs not to exceed \$1,584,336.00, payable from the JTPA-1 Trust Fund."

Which was read.

Also,

Bill No. 2744

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project and Transitionally Needy Project; and providing for the deposit of funds into a bank account. Total costs not to exceed \$2,273,072.00, payable from the JTPA-1 Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7

NOES none

(MR. RICCIARDI ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2783

Report of the Committee on Public Works for June 12, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2697

A Resolution entitled, "Resolution granting unto Morris and Sheldon Levine, 5513 Penn Avenue, Pittsburgh, PA their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, the grading and paving of a portion of the right-of-way of

Dunkirk Street in the 11th Ward, 9th District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2784

Report of the Committee on Planning, Housing and Development for June 12, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2393

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapter

989 "Parking and Off-Street Loading" by revising the amount of parking stalls required for a new or expanded (food supermarket) retail store primarily for the sale of food with self-service facilities and more than four (4) check-out booths." (AS AMENDED)

Which was read.

Mr. Cohen:

Mr. President, on Bill 2393, Councilwoman Madoff and I would like to amend by substitution that bill. If you recall, Councilwoman Madoff introduced an amendment on Wednesday, and I wholeheartedly support that amendment. We have worked on it somewhat since and the amendment is before all of the Councilmembers.

I support the bill, the purposes of the bill, to try to bring more grocery stores into the City, and also, we found out, to allow for the Giant Eagle renovation in Squirrel Hill. I support that project because I think it will be good for the community. But I think at the same time, we need to make sure that this bill does not have negative ramifications for other areas that surround supermarkets.

So, I want to congratulate Councilwoman Madoff for her initial amendment and in the denser neighborhoods the greater pressure that would be exerted on those neighborhoods by the expansion of supermarkets I think would be pressure on parking. And that's what Councilwoman Madoff introduced.

Since then, she and I and Director Downing of City Planning have worked on this and have come up with this amendment, and very briefly, this is what it says: that for expansion of supermarkets in excess of 3,500 square feet, the following things will happen.

First, that it puts a requirement on the Planning Department to notify all of the residents within a three block area of the application for an expansion of the supermarket in excess of 3,500 square feet. So, that notification has to occur within two weeks, that the Planning Department receives the site approval application.

Secondly, the permit parking process would be expedited by this. What it does is it allows for a three block area to participate in the permit parking program, whereas under the regulations that currently exist it's a five block base area. What that will do is two things, I think. One is to make the permit parking process go a lot faster, and secondly, to increase the likelihood that this area will be able to participate in the permit parking program.

So, I think this amendment is one that will help to stem any negative ramifications that might occur for expanding supermarkets.

Michelle Madoff:

Are you making it as a motion? I'll second our motion.

Mr. Cohen:

That is a motion.

Michelle Madoff seconded the motion.

The Chair:

So the amendment is to replace the last paragraph of Section 1 under B with the paragraph that you have proposed, correct?

Mr. Cohen:

That is correct.

Michelle Madoff:

The reason I made the initial suggestion is that I think Giant Eagle had a great disservice done to their reputation. It's really unfortunate that the Administration, or whoever came to us, I think it was Planning and Zoning, said, "This is a little old bill just to help little old communities who don't have little old supermarkets for the needy who may want to walk over there because they don't have food markets." And they never told us up front that this was for Giant Eagle, assuming they'd come and get us at the back door, and they didn't understand that we're bright, intelligent people who don't believe that we should hassle the Foodland up on Noblestown Road or that Giant Eagle should be put out of business. That's not our intention.

This is a solution to a problem and it could have been worked out by Planning and presented. We want to allow these people to expand, we want to keep the business in the City, and what we'll do is a trade-off because we'll provide sticker parking to those communities that need it and want it in the abutting area.

Let me just point out that this weekend I had the occasion to shop at Giant Eagle on the South Side and it's very hard to shop there because they're expanding, substantially. That has to have an impact on parking in their community. And I remember that this Council voted to expand that land which was our land at a very reasonable cost.

The Giant Eagle on Murray Avenue, sometimes you wait 20 minutes just to go by the Giant Eagle on Murray Avenue. We've got to give those people the right to park on their own streets on Bartlett and Darlington.

That's what it's all about. Responsible people acting responsibly and finding solutions as opposed to the Administration or Planning

thinking we're not too alert and they can fool us into doing what we should be doing anyway.

I want not only these comments but my comments that were made previously brought forward and I think this solves the problem.

The Chair:

On the amendment to Bill No. 2393, all those in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

I'd like my comments brought forward on Bill 2393 for the Record.

(REMARKS ON FOLLOWING PAGES)

(MICHELLE MADOFF'S COMMENTS ON BILL NO. 2393-Wednesday, 6/12/91)

Michelle Madoff:

Did everybody get a copy of the amendment? I gave it to everybody. The underlined part is the amendment. I put it on the table.

In my amendment, I state that anywhere parking -- if this bill passes -- anywhere parking is created or expanded, surrounding neighborhoods in the immediate vicinity would have the option of permit sticker parking. In other words, what I am saying here is if this bill passes -- and let us be explicit; it is being passed for the Giant Eagle in Squirrel Hill, and I, for one, would not want to hold it up. I have talked to the Giant Eagle people, they have no objections to sticker parking on Bartlett and the surrounding streets. I would like to take this separately, but I would like to address a very great concern about how this was presented to Council.

This Council was told, we were informed individually and collectively, that the purpose of this legislation was to bring stores into neighborhoods that didn't have them and because there was not sufficient -- the law required too many parking spaces, these people were frozen out of the system. I visualized, as did all my colleagues, the poor little communities that weren't going to have a store if we didn't change the parking law. Then we heard from somebody from Noblestown Road who was going to have to move out of the city, and we had great concern that we were going to lose a business to the city. The truth was this bill was introduced for Giant Eagle. I don't have a problem with that, but I sure would appreciate some honesty.

My question was why was it done in that manner?

(Deleted text.)

Michelle Madoff:

May I respond to your question? I appreciate everybody agreeing that it is vital and they would work with me. Let me tell you why I put this in, and it was put in very suddenly today.

I got a call from people who are very concerned about the Giant Eagle not being able to put their facility in Squirrel Hill. They explained to me the legalities and the problem. I think this is probably why Mr. Ferlo feels he is over a barrel, because we don't want to be the people that say, "We don't want to have progress." However, we were hoodwinked in this Council,

and the reason I put this amendment in -- that the Shakespeare Giant Eagle, the neighbors tried to put in sticker parking and were refused, they couldn't get one. That is why I am saying "Tie it to the bill," that when you put in a larger facility, maybe it should not say "more parking," but "larger facility," which would then increase parking or could increase parking, that what we need to do is allow the people -- of course, they would have to meet the criteria, but you can't say to them like they did the neighbors around Shakespeare, "No, you are not going to get sticker parking."

(Deleted text.)

Michelle Madoff:

I agree with what Mr. Wagner, I am only trying to deal with an issue that perhaps he is not aware of. May I address Mr. Wagner? Do you ever go to the Giant Eagle on Murray Avenue?

Mr. Wagner:

Yes.

Michelle Madoff:

Do you know what it is like trying to get in, waiting in line on Murray Avenue? You can't even get in for ten minutes, traffic is blocked forever, and now it is going to be bigger. Don't you think the people that live on both sides of those streets should have the right to sticker parking?

Mr. Wagner:

Yes, I do.

Michelle Madoff:

That is all I am asking for. Did you agree with that?

Ms. Downing:

If they are impacted --

Michelle Madoff:

You are saying "if they are impacted." You don't think they are impacted?

Ms. Downing:

I don't know they are impacted.

(End of remarks)

(Transcribed by Helen L. Kriebel)

(MR. WAGNER'S COMMENTS ON BILL NO. 2393-Wednesday, 6/12/91)

Mr. Wagner:

Mr. Chairman, in regard to the amendment, I support it; in regard to the bill, I support it. I am not sure how my colleagues are voting on this, but for the life of me, I think the bill is positive. It is pro-neighbor, pro-business, pro-jobs, pro-tax revenue, pro-convenience, and all we are doing is making supermarkets more competitive in the City of Pittsburgh and giving them a better opportunity to operate.

(End of remarks)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 2698

A Resolution entitled, "Resolution authorizing the submission of Enterprise Zone Applications with the Commonwealth of Pennsylvania Department of Community Affairs for financial assistance for 1991."

Which was read.

Also,

Bill No. 2699

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Action Housing, Inc., for the provision of services in connection with the "Study of Housing Needs for Special Populations", at a cost not to exceed \$8,450.00, chargeable to and payable from the 1989 CDBG Program, Department of City Planning, 'Administration', Index No. 584110."

Which was read.

Also,

Bill No. 2706

A Resolution entitled, "Resolution repealing Resolution No. 307, approved March 26, 1990, entitled, 'A Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 16th Ward in the Deed Registry Office of Allegheny County, designated as Block and Lot Nos. 12-P-152 part, 13-F-151, 13-E-220, 13-F-32, 13-F-29, 13-F-1, 13-K-1, 13-E-280, 13-E-255 and 13-J-8 under the Residential Land Reserve Fund'." --(SPONSORED BY MR. RICCIARDI)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 2785

Report of the Committee on General Services for June 12, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2705

A Resolution entitled, "Resolution providing for a Contract or Contracts to purchase LIFE PAK 10 for the Bureau of Emergency Medical Services and providing for the payment thereof. Total not to exceed \$61,764.00, chargeable to Code Account 1423, Index Code 142307, Equipment,

Bureau of Emergency Medical Services,
Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen

Mr. Coyne

Mr. Ferlo

Michelle Madoff

Mr. Milliones

Mr. Regan

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 2786

Report of the Committee on Public Safety for
June 12, 1991 transmitting one ordinance and
two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2695

An Ordinance entitled, "An Ordinance amending
and supplementing the Pittsburgh Code, Title Six
- Conduct, Article I, Regulated Rights and

Actions, Chapter 601, Public Order, by adding a
new Section entitled, 'Prohibited Billing Practice'
to prohibit the use of negative option billing."
(AS AMENDED BY SUBSTITUTE)
(SPONSORED BY MR. COHEN)

Which was read.

Mr. Cohen:

I'd like my remarks brought forward for
the Record.

Mr. Milliones:

I would also like my remarks brought
forward on this bill.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S REMARKS ON BILL NO. 2695-Wednesday, 6/12/91)

Mr. Cohen:

I would like to take a moment if I could to congratulate this Council, the Attorney General of Pennsylvania and all the people who raised their voice against the unfair and misleading billing practice of our local cable monopoly; TCI. I think people are often saying that you can't fight against large institutions, whether it be city hall or in this case against a giant monopoly like TCI. I think our fight against TCI put this adage to shame and is an example of how citizen action really can work. When I think back to the constituent who wrote me a letter a while ago who said that he got a message in his mail that TCI was going to do something that he felt was wrong, and he said a very powerful thing, which was, "Citizens or customers should not have to pay for something they never asked for in the first place." That is what this was all about and what TCI was trying to do. It was wrong, it was wrong for them to try to do it, and we can't make any mistake here that it was the public outcry that caused TCI to back down, drop its negative option billing plan and to go back to the type of plan that should be in effect; that is, you shouldn't get a product unless you pay for it and you shouldn't have to pay for it unless you ask for that product. So it is the public that really is to be congratulated here.

This is a national marketing plan and Pennsylvania is the only state in the United States of America where TCI has backed down and dropped its negative option billing plan. I think the people of Pittsburgh and Pennsylvania are all to be congratulated for this.

The bill that is before you now came up last week, so I won't restate it in detail, and we do have a quorum. What it does is it prohibits the type of marketing plan that TCI tried to introduce, which is called "negative option billing," and that is for a company to provide a product to a customer without that customer ever asking for it.

This bill is not focused directly on TCI, it is a general bill and says that no company can implement that type of unfair and misleading practice. So I think this it is very much relevant still, because if this Council chooses to pass it, then it will prohibit any company in the future from implementing this kind of plan.

I have one small amendment, Mr. Chairman, and it should be in front of all of you. This amendment was suggested by the Law Department and it basically protects the City of Pittsburgh from being sued as a result of a customer not accepting or paying for

a product. And what it says here under 601.18(b) is that any person that receives goods or services as a result of a billing practice that has been judiciously determined to be a negative option billing, that will protect the city at least according to the Law Department. And also adding at the bottom, which I think is important amendrent, that any person who suffers a loss as a result of this type of billing practice can bring a private action. In other words, any individual can sue to recover actual and other damages.

So Mr. Chairman, I would like to make a motion to approve those amendments, please.

(Deleted text.)

Michelle Madoff:

Can't anybody sue anyway?

Mr. Cohen:

The Law Department told me that you need to have an explicit private right of action in order for them to be able to do that.

(End of remarks)

(Transcribed by Helen L. Kriebel)

(MR. MILLIONES' COMMENTS ON BILL NO. 2695-Wednesday, 6/12/91)

Mr. Milliones:

I congratulate you, Mr. Cohen, on your bill. I intend in the future to introduce legislation I hope to deal with what I call "forward billing"; that is, you pay for services that you don't receive until -- before the fact. I expect to talk to the Solicitor about that and see if we can do anything about that at this table.

Mr. Cohen:

Mr. Chairman if I may, one thing that we all learned in this process is there are areas where we can regulate the cable industry, and even though Congress took away our ability to regulate rates, we can regulate the area of consumer protection. I would very much welcome your bill.

(End of remarks)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 2748

A Resolution entitled, "Resolution amending Resolution No. 168, effective March 8, 1991, entitled, 'Resolution providing for an Agreement or Agreements with National Night Out for services for the residents of the City of Pittsburgh during 1991 and providing for the payment thereof' by changing to read NeighborFair Pittsburgh, Inc./National Night Out."

Which was read.

Mr. Ferlo:

Mr. President, on Bill 2748, I just have some concerns emanating out of the discussion that you engaged with representatives who came to the table on the National Night Out.

I understand, and I have no problem with National Night Out coming under the umbrella, theoretically, of NeighborFair Pittsburgh, Inc., if basically it's a move, as suggested at the meeting, that they're attempting to raise additional in-kind and real dollars from foundations, corporate sponsors, what have you.

But administratively, I'm beginning to worry that there's too many activities that are being thrust upon NeighborFair and I question, especially given their priorities, cleaning the City, the Clean Cities part of NeighborFair. I'm beginning to question their effectiveness.

I hope in approving this today that it does not mean that the Police Bureau will not continue to be intimately involved in the activities pursuant to carrying out the National Night Out. I'm still not convinced of that and I'm sort of echoing some of the concerns that you raised at the meeting.

So, in approving this today, I hope we're not sending the message that the Police Bureau will not somehow continue to be a part of the National Night Out organizing.

The Chair:

I would like my remarks brought forward on that bill.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 2748-Wednesday, 6/12/91)

Mr. Wagner:

Discussion. Who is here in regard to this legislation?
Thank you, Mr. Chairman.

In regard to this issue as I read the legislation, maybe all of you can clarify it for me, the responsibility for administering National Night Out has traditionally been in the Department of Public Safety directly under the Police Bureau; now it is being transferred to NeighborFair. Obviously, the most obvious first question is why?

Ms. Daniel:

I don't think that is entirely true, Jack. In the past the National Night Out Program was operated, run, by an advisory committee called the National Night Out Committee, who was made up of representatives of the zone councils, the crime prevention officers, and they worked very closely with the Public Safety Department. The Public Safety Department, in fact -- and I am not clear on this -- but, in fact, the funds to cover some of the expenses came from the Public Safety Department. But if you will remember, Loretta Miller who worked in the Mayor's office chaired this committee for many years, and that committee directed National Night Out and those activities. Upon the death of Miss Miller early this year, everything kind of sort of lost its focus. And in March of this year the committee got together, the committee made up of crime prevention officers, neighborhood representatives, voted to have NeighborFair receive the funds that we are talking about here and administer both those funds and private funds that would be raised from corporations and foundations. The problem was that in the past the National Night Out Committee being an un-incorporated group of people, could not receive funds from foundations and corporations. They asked NeighborFair to do that.

It so happens that Josette Fitzgibbons, who is the public relations manager at NeighborFair, has served on that committee for two years, and at that meeting they voted her Chairperson of that committee, and Josette is here today.

So that is how we have come to this. In order to get all the funds into a nonprofit 501-C3 corporation so there can be accounting and there can be credit for nonprofit funds, the group decided to put all the funds there and let them pay the bills.

Mr. Wagner:

Chief, do you have anything to add?

Chief DeRoy:

Not anything that would be important at this point, Jack, except for the fact that Carol Burn who formerly was with community relations, we now have Herman Mitchell. I think this was discussed last year, I am not too sure what the workings of it is, but I think this young lady here probably has something to add.

Mr. Wagner:

Josette, do you have anything to add?

Ms. Fitzgibbons:

Not much, other than by having a 501-C-3 as the funding pass-thru, it is easier for the committee to raise funds for the activity. In the past there was a little bit of difficulty with that because there was not a nonprofit vehicle for the funding. The committee basically hasn't changed, it may have expanded a little. The focus of it hasn't changed, basically the operation of the event and the National Night Out really isn't significantly different, it is just hopefully easier for us to raise funds for it.

Mr. Wagner:

All of you and all of us in the public are fully aware of the effectiveness of this program in the past to the point where the city has received awards being No. 1 in the country and 2 and 3 a couple years. So in essence, it has been extremely effective. I want to make sure it stays that way. I always think that the less bureaucracy you have, generally the greater efficiency there is in government. What we are doing here is adding a layer of bureaucracy. You are saying to me the reason to do that is to raise more funds. So this year in comparison to previous years, you are going to go out and aggressively go after private funds and get more monies and do more things with those monies.

Ms. Fitzgibbons:

We hope so. We have made much more contact for fund

raising this year. We are running into a little bit of what most people who are trying to raise funds are running into this year, and that is a lot of corporations are cutting back. But we are working alot more aggressively to raise funding, and if we can raise the funds, expand the program a little bit, maybe provide some support to the block watches doing their own events on August 6th.

Mr. Wagner:

I will vote in favor of this, but I want you to know I was more comfortable with this falling under Public Safety, the zone counsels and the Bureau of Police. I am also concerned because this Council has seen a series of legislation giving NeighborFair more and more authority in regard to various issues. I am not so sure that NeighborFair is the right entity to continue to take on additional loads, in terms of responsibilities. But during this first year, if this passes, I will be watching closely to make sure NeighborFair is playing an active role in assisting the Department of Public Safety and Bureau of Police to make sure that National Night Out is as effective this year as it has ever been, because it certainly is one of the better programs of any city in the country.

Ms. Fitzgibbons:

We are hoping to be No. 1 again this year and we are working hard on it.

Mr. Wagner:

Good. Thank you.

(End of remarks)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 2749

A Resolution entitled, "Resolution amending Resolution No. 72, effective February 15, 1991, entitled: Resolution providing for an agreement or agreements with the Diocese of Greensburg, St. Joseph's Hall, for the lodging and subsistence surrounding the training of Police Recruits, by increasing the total cost from \$43,945.20 to \$47,533.20. Payable from the PSTA Code Account, Bureau of Administration, Department of Public Safety."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan:

In accordance with Section 322 of the Home Rule Charter, I'd like to move that the Effective Date of Bill 2749 be the date on which it

is signed by the Mayor.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones:

I would like to request also that Bill 2695, Mr. Cohen's bill relative to consumer protection, be made law as soon as the Mayor signs it as well.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Cohen presented

Bill No. 2787

Report of the Committee on Engineering and Construction for June 12, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2668

A Resolution entitled, "Resolution amending Resolution No. 1415, effective January 1, 1991, as amended, entitled, 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program' by creating a new line item (EC91-553), South 10th Street Bridge Rehabilitation, Index Code No. 813485."

Which was read.

Also,

Bill No. 2669

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Allegheny County for the City's share of the costs for improvements to City-owned facilities located within and being part of the County-owned South 10th Street Bridge; and providing for the payment of the costs not to exceed \$236,000.00, payable from Code Account 3-13-05-1247-91, Index Code No. 813485."

Which was read.

The Chair:

I have an amendment to Bill No. 2669 co-sponsored by myself, Councilman Cohen and Councilman Ricciardi, and the amendment reads, by adding after the words, "concrete barrier curb", "and a stairway ramp leading from the South Side of the Tenth Street Bridge to the South Side Riverfront Walkway", all being part.

Mr. Milliones:

So moved.

Michelle Madoff seconded the motion.

Mr. Ferlo:

Question. I support this amendment, Mr. President, obviously, but you had raised another important point and I'm wondering, is there a reason why we shouldn't incorporate that also, and that was your point, as you've expressed in the past on the West End Bridge, and that was the move by the State to either eliminate one part of the bridge for a pedestrian walk or to locate it on the wrong side of the view of the Downtown.

Is there any threat that the State might eliminate one part of the pedestrian walkway crossing the bridge and, if so, is there some

thought to possibly amending the bill to guarantee that that also is a consideration?

You raised two issues. One was on the access of the riverfront and the other being to not eliminate any pedestrian walkways.

The Chair:

Did everyone receive a copy of the memo from Mr. Reginella from Engineering in regard to this?

Mr. Ferlo:

Yes, at ten minutes to ten. Right before the meeting.

The Chair:

According to his memo, there are no plans to eliminate the two sidewalks. He had discussions with the Allegheny County Department of Engineering.

Mr. Ferlo:

Does that mean also that there's no plans a month from now to eliminate these sidewalks?

The Chair:

According to the reconstruction of the bridge, there's no plans to eliminate either sidewalk.

Mr. Ferlo:

Thank you, Mr. President.

The Chair:

Also, according to his memo, he indicates that this amendment was not part of the original plans and there may be a need for the City to pay

for the cost of the stairway. I would hope not. I would hope the County and higher levels of government would share that cost, but even if it came down to that, I think we should make a commitment to connect with the riverfronts with these important bridges. I don't know how we're going to get utilization of the riverfronts if we don't do that.

On the amendment, all those in favor?
Opposed?

WHICH MOTION PREVAILED.

Also,

Bill No. 2670

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled, 'Adopting and approving the 1991 Capital Budget and the 1991 through 1996 Capital Improvement Program' by providing funding for EC 91-525, Public Safety Complex. Cost not to exceed \$2,500,000.00."

Which was read.

Also,

Bill No. 2671

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority for the City's share of site remediation costs at the Public Safety Complex; and providing for the payment of the cost thereof. Chargeable to and payable from Code Account EC 91-525, Index Code No. 817411, at a cost not to exceed \$2,500,000.00."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 2793 Resolution appointing Frank Sklar, 146 North Bellefield Avenue, Pittsburgh, Pennsylvania, 15213, as a member of the Ethics Commission for a term to expire June 15, 1993.

Which was read.

Also,

No. 2794 Resolution appointing Lawrence E. Moncrief, 1364 Silverton Avenue, Pittsburgh, Pennsylvania, 15206, as a member of the Ethics Commission for a term to expire June 15, 1994.

Which was read.

Also,

No. 2795 Resolution appointing June Schulberg Bowers, 6027 Walnut Street, Pittsburgh, Pennsylvania, 15206, as a member of the City Planning Commission for a term to expire January of 1994. Ms. Bowers is replacing Rosemary D'Ascenzo.

Which was read.

Also,

No. 2796 Resolution appointing Thelma Williams Lovette, 2937 Webster Avenue, Pittsburgh, Pennsylvania, 15219, as a member of the City Planning Commission for a term to expire January of 1992. Ms. Lovette is replacing Willie McClung.

Which was read.

Also,

No. 2797 Resolution appointing Arthur L. Young, 3134 Terrace Street, Pittsburgh, Pennsylvania, 15213, as a member of the Minority and Women Business Enterprise Review Committee for a term to expire April of 1992. Mr. Young is replacing Reginald Young.

Which was read.

Also,

No. 2798 Resolution appointing Patricia Elmes Farley, 2020 Smallman Street, Pittsburgh, Pennsylvania, 15222, as a member of the Art Commission to serve for the term of the Mayor. Ms. Farley is replacing Harold Corsini.

Which was read.

The Chair:

I would request that these people come in front of Council at the first available time. Is that a consensus feeling?

Mr. Cohen:

If I may ask, since there are several appointments here, is it possible not to have all the appointments come before Council at once? I think it makes it very difficult sometimes for Councilmembers to prepare for all of these people at once.

One suggestion that I have is since we have two for the Ethics Commission, two for Planning, one for MWBE and one for the Art Commission, perhaps we could have the Ethics Commission people, if it can be scheduled, to come one week, Planning the next, and MWBE and Art Commission after that.

I just think it's very difficult sometimes to have all of them come before Council at once.

Michelle Madoff:

That's terribly impractical that we should hold up the appointments, but I don't see why we couldn't even use, at the discretion of the Chairman or the President of Council, that we couldn't take a moment or two or a few minutes before our Wednesday meeting to have them on either Tuesday or Wednesday. We have done that previously. We've had people who couldn't come on Tuesday come on Wednesday. If we don't do that, we won't get the people appointed.

I have something else I'd like to add to that. I have a great concern, and I was going to bring it up at the end of the meeting. We're going to be voting on two appointments made by the Administration on the Ethics Commission. Where are all the other appointments? I know there was a delay because there was a problem, this Council didn't submit sufficient names. Why

that would be an issue, I don't know. What difference does it make if you give six names if Council is happy giving six names or whether they give nine names? But it was delayed until there were, indeed, nine names even though two of us supported one name twice, on two different commissions.

I want to know, and I've asked the President of Council this before, why we don't have the appointments of the Ethics bill, how soon we will have it, and the Water Abatement Committee and how soon we will have that. I see no reason for us to be voting on the two appointments to the Ethics Commission until we have all of them named. I would object to that, strenuously. That might help get the appointments made.

The Chair:

We could request from the Mayor's Office but there's no mandate that requires them to do that and we really could not move forward on this until there was an amendment to that original bill.

Michelle Madoff:

I don't think that's quite factual.

The Chair:

We will ask the Mayor's Office to submit all names.

Michelle Madoff:

My problem is that I don't want to vote on two names submitted entirely by the Administration without Council having equal representation and having our names brought forward. The Mayor is going to pick them anyway from our list.

But I would suggest we do the Ethics people, say, all in one day and let's get their names out here.

The Chair:

It's a good point. How about if we hold those people coming in front of Council until we get all names submitted by the Mayor's Office, on Ethics.

Michelle Madoff:

Absolutely.

Mr. Ferlo:

First of all, I support Michelle's comments on the composition of the Ethics Commission. I believe all the people have been proposed by Members of Council and I think they should all come together as a package.

I'd like to raise a procedural issue, Mr. Chairman, and I may be out of order and you can so rule. One of the things that has upset me for three years since I have been on Council is just the procedure by which we approve nominations to boards, commissions and authorities, in particular the Planning Commission.

What actually happens is, the Mayor makes a nomination and basically, as an individual Councilmember, we're stuck, to use that words, discussing issues with individuals who are potentially going to be on the Commission. But there are some times when the discussion is not with the individual person that's the nominee, but rather the question is one that should be directed to the Administration regarding policy and why they've chosen to pick certain individuals and proceed in a certain fashion.

As it relates to the appointment that's

proposed, if I heard this correctly, of Mrs. Lovette, who happens to be a friend of mine for more than 15 years and I would certainly love to see her on the Planning Commission. I've raised this issue, and twice now I've voted no, on what is a gross under-representation on the Planning Commission of a representative from south of the river. However, not only would I not want to get into a debate with Mrs. Lovette because she's a friend and she's a great person and she should be on the Commission, she's not the person I would want to argue that point with in the context of the appointment.

I want to know procedurally, do we have the power to request the Mayor or Mr. Mistick to appear at the table to discuss the rationale and just the general policy of the appointments to the Commission. And that's an independent dialogue and debate from me engaging in an irrelevant discussion with the actual nominee. So, I'm asking a procedural matter, a question.

The Chair:

Well, we certainly do have that power and we can do it in the form of a motion, if you desire. However, I wouldn't recommend that that be done while interviewing the candidates.

Mr. Ferlo:

I understand that. I wouldn't want it either. I'm asking for some guidance from the body here on how do we begin to deal with some of these issues.

And in terms of just the issue, we just made an appointment, a parochial appointment from the community, and I'm just concerned about the general composition on the Commission.

The Chair:

If I could just add, I have requested personally to the Administration that future appointments be from south or west of the river to give the Planning Commission balance. I believe that's very important on that commission, in particular, that that commission be represented City-wide so that City-wide issues and a City-wide knowledge is present when voting occurs on all issues.

Mr. Ferlo:

But I would like to convey that publicly to the Administration, so I'm making a motion, or if you want, I'll hold it until the end of the meeting, that we request --

The Chair:

We're at that stage. We're not voting on anything here except that the people that have been submitted come in front of Council at a date convenient to them and convenient to us.

Mr. Ricciardi:

I think Mr. Ferlo raises a very legitimate point. As my colleagues will remember, the last nominee to the Planning Commission I was in opposition to. And I thought that member, besides only being in the City of Pittsburgh for two and a half years, showed little interest in the responses to even serving on that board. And when I was voting no, I mentioned that the Administration should begin to look towards community-based organizations such as the working group on community development for some of these nominations.

So, I think Mr. Ferlo raises a very legitimate point because usually when someone comes to the table, obviously we tend to vote for that person because usually on the merit they're

very legitimate candidates for that position.

I think what Mr. Ferlo is looking into now is looking at the policy-making decisions and where their direction of the Planning Commission should go in terms of this Administration viewpoint. So I would support a motion made by Mr. Ferlo on that behalf.

The Chair:

I think the appropriate person would be Mr. Mistick to discuss this with.

Mr. Milliones:

What is the motion?

Mr. Ferlo:

My motion is, independent of our discussion with the actual nominee, that we request prior to a final approval of the nominee that we request Mr. Mistick on behalf of the Administration to attend a Wednesday session to discuss some of the issues.

Mr. Ricciardi seconded the motion.

Mr. Regan:

I'd like to also, along with Councilman Ferlo, amend that to get a list of all the people and where they live in the City of Pittsburgh to see that we have proper representation from the whole City of Pittsburgh, not just certain areas.

Mr. Ferlo:

That's a friendly amendment.

The Chair:

Is that pertaining to what? To the Planning Commission?

Mr. Regan:

To all the Commissions.

Michelle Madoff:

That doesn't need a motion. Just ask Mike Perry for it.

Mr. Ferlo:

I think prior to that meeting we should have this information from the Clerk, as Mr. Regan has suggested.

Mr. Milliones:

What I also request is that these pieces of information be broken down by race as well, and gender.

The Chair:

Fine. We can make that request without it being part of the motion, but we do have, within our power, the motion to ask someone from the Administration to come to the table.

Mr. Ferlo:

Race, gender and geography.

The Chair:

Yes. So we would ask that that information be supplied to all Members of Council prior to Mr. Mistick, if this motion passes, coming in front of Council.

Mr. Ferlo:

Thank you, Mr. President.

Michelle Madoff:

Same subject, and then I have two other items.

As the historian of this Council, 13 years June 1st, this issue has come up many times and I'm very delighted and I congratulate all of you. This is a Council that works together, not for its own selfish motivations but for the good of the community. This is an item that has come up repeatedly.

As you saw the wording or heard the wording from Mr. Ferlo, it's a request. It's not a demand, it's friendly, and we hope that the Administration will respond in the same manner in which it is put forward. They don't have to come, and in past years they just didn't come; they ignored us.

I hope that this Council will stick together and will indeed use its leverage to see that when we're treated right, we treat the Administration correctly.

The Chair:

If I may just add prior to voting, it's the will of this body that we not vote on the appointees to the Planning Commission until we get that information and we have that public discussion.

Mr. Cohen:

This is separate, Mr. President, but also I would like at least an understanding that we will not have all six nominees coming before us at once. I think that that is difficult and I don't think it's impractical. We can split it in two if we want, but to have six at once I think would overwhelm us.

The Chair:

It will be arranged.

All those in favor of the motion? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

I might add on the issue that just passed, you just slipped in, Mr. President, that we will not vote unless they show up. That's something that we've never exercised our muscles before.

Mr. Ferlo:

I said that in the motion.

Michelle Madoff:

I'm sorry but I'm making the point that this is the kind of leverage that we may have to use, even in a friendly request, to get responses.

The other two items I'd like to touch on is that I think we should commend our President of Council for being a prophet in his own time. That unfortunate situation where a youngster, a teenager, drowned because somebody made waves around with a boat, is exactly what you were concerned about when you introduced legislation.

If memory serves me well, other State agencies thought you were intruding on their turf. Well, when you get to lives we don't worry about turf; we worry about doing the right thing.

I think your legislation is very important and before I go to my next item I would like to ask what is the status of it.

The Chair:

It has been implemented in the City of Pittsburgh and adopted by State government. The "Slow, No Wake Zone". Only on certain parts of our rivers.

The other portions of the legislation have not, as of this date, been adopted by State government, for instance, the wearing of life preservers for people under the age of 16. That's unfortunate and we're hoping that soon they will reconsider and adopt that legislation.

Michelle Madoff:

May I point out that from where I live and look out at the exact point of the river, there are people violating the legislation. They're behaving in a very dangerous manner on many occasions and I would like to know who is monitoring that. I wonder if you could check that out at the Point.

There's so many events going down at the Point. When it's a warm evening, the boats sort of congregate there. They come to listen to the music and so on and it occurs to me that we need somebody to be enforcing that law.

On another matter. Has anyone been up to Grandview Avenue recently? I'm trying to figure out what they used to pave it. And was it paved or was it skimmed? And what did it cost and who did it? And who authorized it? Because everybody on my street is saying to me, "When are they going to finish? Is this only the temporary underlayer? When are they going to finish?" My understanding is that it's finished.

I would like to respectfully request—As a matter of fact, I don't want to do it in a letter form; I want to have a post agenda that will address the issue of who authorized, what did it cost, who had the contract, and how much could we have done

it for in-house. My understanding is that it would have been cheaper in-house and it would have been a more professional job.

Suddenly the street changed from gray to black tar looking and I understand it's a new material. I understand that that material was used in the South Side and we're going out to get pictures of it all broken up. Are you familiar with that, Mr. Ricciardi?

Mr. Ricciardi:

No, I'm not.

Michelle Madoff:

It was used on a street in the South Side as an experimental material and it just didn't hold up and within a year it crumbled.

I have some very great concerns about this and I would hope that this Council would attend that post agenda to find out what the fact is from the fiction. If I have been misinformed, I'll apologize. And if I haven't, so be it.

One last item. As you know, I have pending before this Council legislation on blighted property. And you know that the BOCA Code of Review passed it unanimously subject to rewording one paragraph that we had some problems with legality.

Bill Urbanic from my office has been meeting on an on-going basis with Mr. Leff from the BOCA Code. We think he's away; we're waiting. Everything has been approved, the paragraph is being rewritten, and we're about to get his report authorizing it.

In 1982, a piece of property at the corner of Sycamore and Wyoming was found to be in violation. 1982. I didn't start dealing with it because I didn't know about it. My crystal ball

wasn't working before 1989. In 1989 I was informed of this problem and this landlord who owns three or four pieces of property in this area, and I started to deal with it. We got promises from Mr. Cimino and BBI that indeed that house, one in particular at the corner which was in terrible shape, would be demolished, was scheduled to be demolished. There's all kinds of correspondence and I'm going to share with Members of Council about four or five letters.

About a month ago, my Administrative Assistant, Sarah Meeks, looked out of her apartment which abuts Sycamore and Wyoming, and said, "Oh, they finally took it down." Well, it wasn't taken down; it fell down. Fortunately no one was hurt, but this landlord owned several other buildings.

So, I went back to get the history of what happened between 1982 and 1989. Would you believe there's nothing in the files? And I'm going to give this Council two letters, one signed by Dick Caliguiri and one by the Fire Department, I believe, that talks about what they did in 1982. What happened to the records? Why aren't they on microfiche? Who would be to not see that this material, signed by the Mayor himself, was followed up?

I spoke to the Fire Department yesterday. Any time they go out and make a citation, BBI told me, "Oh, we don't get copies." They said, "Not true." Any time they go in and find a building deficient and a fire hazard, they immediately send a copy to BBI.

Granted, I've only been here since 1978, but on the other hand, I don't think that materials - I can give you my material from '78. Mike has all the reports that we get, our Minutes, since long before I got here, don't you, Mike? They aren't missing.

I would like to pursue this and I will

report back to Council at the time that my legislation comes up again which, I believe, will be within the next week, as soon as Mr. Leff is back.

Mr. Ferlo:

I do want to respond to what Michelle has just said.

First of all, there are actually hundreds of pieces of property in addition to the one that Michelle has cited that have already been condemned. What basically happens is, and I have said this each year during the budget debate, Building Inspection is reactive. They only react once somebody initiates a complaint.

There continues to be a lack of a management information system both in Public Works, complaints that are yearly complaints that we know are going to come up every year.

And the same holds true for Building Inspection. Until somebody gets in there and manages the resources that we give them better, we're never going to have a change. We're going to continue to have more of the same.

Michelle Madoff:

When Mr. Cimino was recommended by the Administration to inherit the throne from Mr. Imhoff, and I was terribly unhappy with Mr. Imhoff on many issues that I think bordered on terrible situations, I stated that I didn't think his right hand should be appointed. I don't recall, Mike, but would you check to see if I did vote for him or not? But once he was appointed, I felt well, let's give everybody a chance to do the job.

I get a sense from Mr. Cimino that he's not happy with my legislation because he feels it really doesn't go far enough or it doesn't do anything different than what he's doing. Yet

we've got properties, as Mr. Ferlo has pointed out, 20 years, 7 years. In my area alone, I have a property that's been 7 years.

What we need to do is one step further. We need to get the State to give us an Enabling Act that stops this abuse where we just board up a building and it sits in the middle of other developments because the landlord just isn't ready to sell it to Pitt or just isn't ready to sell it to the hospital or just isn't ready economically to develop it, and we lose three house.

Three families moved out in Sheraden because of this boarded up piece of property. That has got to stop and that's something we need to think about next.

Mr. Ricciardi:

Michelle Madoff and Jim Ferlo have some legitimate concerns on the demolition of unsafe structures, but in all fairness to Mr. Cimino, I think we have to point out that his new policy in packaging structures to be demolished into one bid has gone into effect very recently. I think my colleagues would agree that they see more homes, more unsafe structures are being taken down in the last few weeks than before.

So, I think we have to point out that very noticeable improvement in BBL. That's the packaging of unsafe structures into one bid. I think the last package was 30 some units.

So, hopefully, the audience listening today, the residents, the taxpayers, will see an improvement of taking down unsafe structures, and I think Chief Cimino should be commended for that.

Michelle Madoff:

It was Ferlo's idea.

Mr. Ferlo:

On another issue, Mr. Chairman, and again, I wasn't just speaking about condemned buildings; I was talking generally about the broad range of complaints that come into Public Works and Building Inspection.

On an unrelated matter, Mr. Chairman. Over a month I communicated to you and to my colleagues regarding the situation of the Community Development Block Grant. As I had indicated in a memo to all of Council, the City actually is already in receipt of an additional \$2 million in CDBG dollars.

At that time, I had requested that we come up with some discussion with the Administration so we can expeditiously deal with how we want to allocate and expend those dollars. I had made a certain proposal.

I don't feel that we should allow the Administration to submit a host of bills next week regarding the allocation of those dollars until we've come to some understanding and agreement on how we, together, want to allocate those dollars.

I resent having to be put on the defensive. Everything that the Administration submits and wants to spend money for is a wonderful idea. They're all necessary projects and I would certainly want to see all of those things funded. That's not the issue.

The issue is that together we must allocate and prioritize what those dollars should be earmarked for to complete necessary projects pursuant to the regulations under the Community Development Block Grant, i.e. community and economic and housing development in low and moderate income communities. Together we should come up with that formula and deal with the allocation of those dollars.

We should not let the Administration submit a host of bills and then we are reacting and being defensive about how we need to allocate those dollars.

So, prior to the submission of those bills next Tuesday, let's come to an understanding. And I would ask that yourself, being the President of Council, help facilitate and come to some conclusion regarding the allocation.

The Chair:

If I could just add, the Administration will be, I understand the Mayor's Office will be meeting with each Councilmember this week to discuss what their proposal is. Nothing is cut in stone. I am in support of changing their proposal if conditions warrant to change it and to amend it. As a matter of fact, one example is the housing that is vacant housing in the City. They are allocating some additional monies to that line item that, in my opinion, not a sufficient amount from CDBG monies that we're getting from the federal government. Consequently, I think there's different areas there where we can make amendments or can add new line items if we choose to do so. But there is not a consensus here and that's the problem.

Mr. Ferlo:

There is a consensus if you would help facilitate the consensus. I mean, we shouldn't let the Administration come over next Tuesday, submit a bill and it's a fait accompli. This is how we're allocating the dollars and then we're all going to have to argue and debate and go on and on and on about how certain dollars should be utilized.

I'm saying that prior to the submission of the package, we have some discussion with the Administration. It's true that they may be meeting

with individual Councilmembers, but that's not a way to come to an agreement and a consensus on how best to utilize those dollars.

The Chair:

Well then how about if we do this. I'd like everyone's opinion in writing as to how the dollars should be spent?

Mr. Ferlo:

Mr. Chairman, I don't want to have to state publicly what has been an obvious fact for many years in City government, and that is that both branches of government together come to an arrangement, an understanding, regarding the allocation of dollars. That's true for the Operating Budget and that's true for any special grants we get including the Community Development Block Grant.

Prior to the submission of the Administration's package, I would ask that we come to some understanding regarding Council's prioritizing of those dollars.

The Chair:

How about if we, at least, if anyone has a special item that they want to see part of those CDBG's additional \$2 million, to please let me know what that is and I will communicate to that to the Administration and see if they are in agreement with it. If they are not, simply, that has to be dealt with at the table. And I know of no other way to do it.

Mr. Ferlo:

I would suggest that in addition to the Administration's proposals, which I understand will come over in the form of a bill on Tuesday, that each Councilmember submit amounts of \$25,000 regarding the use of those funds. That's

what I'm going to do.

The Chair:

Fine.

Michelle Madoff:

Mr. President, I apologize. You mentioned some funds and a particular item that you thought wasn't sufficient. I didn't hear what that was.

The Chair:

Mr. Ferlo has indicated that there is an additional \$2 million coming from the federal government.

Michelle Madoff:

That's not what I'm talking about. You said, you used an example, was it housing, did you say?

The Chair:

The vacant housing.

Michelle Madoff:

The reason I mentioned it is that I have an article that I'm going to distribute to all of Council, a newspaper article, and I called somebody in Boston and picked up something I think might be very interesting for us.

One of the things that Pittsburgh lacks and it holds us from getting people to come into the City is new housing. This is a modular kind of development that houses could be sold for \$60,000 and \$70,000, three, four bedroom houses. I'd like you all to take a look at it and it might be something we could plug into making housing available at a reasonable cost in various

areas even with subsidies.

On one other item. I would like to make a correction or correct what may be a wrong impression. On this house that fell down, the City did not pay to demolish the property, even though it was scheduled for demolition. The owner was forced to pay for it eventually, but we shouldn't wait until it falls down.

So, when we talk about reactive and the fact that it's costing money, we also need to look at, and I hope somebody will look at all these absentee landlords and all these people who have these blighted properties being assessed X number of dollars under the right to keep your own property and have it taken from you, that at least if they're going to sit there with blighted property, they're assessed X number of dollars. It's like saying we raised the taxes on empty lots so it will encourage people to develop.

It's the same thing. If we start to assess people who have blighted property, who are making the area look like a garbage heap and destroying the value of other people's property, we could use that money to enhance the BBI development to make sure that we do bring down the properties, redo the properties, rehab them, build modular, come up with some programs that will make the communities look prettier. Maybe plant something around these blighted properties.

Mr. Ricciardi:

Mr. Wagner, I'd like to say that I'm listening with great interest to some of my colleagues and some of their concerns, but, unfortunately, with some amusement also.

We have asked the Administration for so many pieces of information and we have yet to receive so many important things we've asked in the past such as the Cost Recovery Program, if

there's a policy in place, such as the cost for Thrift Drug Great Bicycle Race and what benefits that had to the City.

I would request, Mr. President, if you could work with our City Clerk, Mr. Perry, with all pieces of information we've requested from the Administration, make it an entire package, and from there we should talk among ourselves to see how we could receive this information.

We're requesting it for a reason. We're just not asking for this information so we could file it away. We obviously have our own concerns for our own constituents and taxpayers.

Michelle Madoff:

We asked for it already.

Mr. Ricciardi:

But we haven't received so many pieces of information such as the Cost Recovery Program, something that Mr. Ferlo and I have been talking about for months now. And we're unable to make an intelligent decision on some of our suggestions, for example on the Cost Recovery Program, if we're unable to receive the information that we've requested such as the cost of these programs.

The Chair:

I agree with you. The Administration is not communicating adequately.

In regard to that issue, I have communicated with them and they tell me there is a response forthcoming, and it's based on an agreement with Allegheny County which has not been reached yet. Consequently, there's a formula for us to get monies under Cost Recovery, but that agreement is not in place and they can't give us any definitive information in

that regard. Consequently, that one is delayed.

Mr. Ricciardi:

For example, Mr. President, I don't mean to interrupt you, but a simple request is how much did we pay for the Thrift Drug Classic Bicycle Race? How much did it cost the City of Pittsburgh in terms of services that we provided? That should have been in long ago and I'm sure they have that type of information.

The Chair:

Mr. Perry, I will ask you to give me a list of the various items that the Administration has not provided information on and we will correspond with them and request it again. And if, in fact, it is not forthcoming within a reasonable timeframe, I will recommend that we hold up on legislation. If that's what it takes, that's what we'll do. I think we have been more than lenient in requesting some of this information and certainly it should be forthcoming. Some, I understand the reasons for the hold ups; others I do not.

Mr. Ricciardi:

Thank you.

Mr. Regan:

Mr. President, we had talked on several occasions, and it's been a long time coming, the security system that we talked about time and time again for the protection of our people that work, like the receptionist, for example, and the very easy accessibility to all the Council offices.

Just recently we have had some people that have gotten very, very rough with the receptionist and I think it's about time that we do something about it because one of those ladies or some Councilperson is going to end up getting

hurt.

It's a new day out there as far as people are concerned. They watch television and they get excited when they see or hear things and they come down here with fire in their eyes and someone is going to end up getting killed or hurt permanently.

The Chair:

That has been another legitimate request by Councilman Regan to the Mayor's Office and Councilwoman Madoff going back several years. That information also should be forthcoming.

Mr. Regan:

One of the proposals, for example, in a security system was to put the receptionist out front. I think she's the one that handles all the fire and brimstone. She's the one that should be protected most of all because she has to fend off for everybody.

The Chair:

We won't permit that to happen, Mr. Regan.

Michelle Madoff:

Mr. President, I wasn't going to talk about this and I certainly wasn't going to talk about it before the election, but if you think that it's not a serious matter, Members of Council and the public, during the election I had two bolts taken out of four of my tires and on one tire three bolts loosened. If I had been speeding or if I hadn't caught it accidentally by getting some gasoline, I would have been killed.

I understand from one of the other candidates that a piece of wire was put in the

steering wheel and he almost got killed.

Several people who worked in campaigns, not only for me but for other people, told me that windows were shot out a couple of years back, cars were tampered with.

If you think that there isn't a mentality out there that isn't out for whatever happens and they don't give a damn, you're wrong. That's why I brought this legislation up.

We had somebody in our office who was very unhappy with the Administration and thought that I could solve all problems, which I could not. The person was removed from the Mayor's Office with a gun.

I understand that when Mr. Woods was here he said that at one time in Council we had somebody here removed with a knife.

This is not something that we should pooh-pooh and say we shouldn't be spending money, but it isn't us. It's the judges; it's everybody. It has to be done at the two doors. Before people come in they should go through metal detectors. They shouldn't be allowed in the building otherwise.

Mr. Regan:

On another issue. I would like to make a motion that we televise the public hearing on City Court.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair:

Mr. Perry, have we made a motion to televise the Shadyside helistop hearing?

Mr. Perry:

Yes.

The Chair:

Thank you.

Michelle Madoff moved to approve the Minutes of Tuesday, June 11, 1991. .

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse Mr. Darkins for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ferlo**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 26

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, June 25, 1991

PRESENT:

MR. COHEN
MR. COYNE
MR. DARKINS
MR. FERLO

MICHELLE MADOFF
MR. MILLIONES
MR. RICCIARDI
MR. WAGNER
(Pres't)

ABSENT:

MR. REGAN

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning, Members of Council, and everybody who is here today. I'm happy to read this resolution that is being sponsored by each and every one of us, and I'd like to ask all the people who are down here for this important environmental issue to come up, please, to the microphone. Mr. Kruth and others.

Members of Council present

No. 2818 WHEREAS, the firm of Waste Technologies Industries (WTI) is building the Nation's largest hazardous waste incinerator in East Liverpool, Ohio, only 38 miles from Pittsburgh and posing potential danger to the City and environs through toxic emissions and possible accidents during transport; and

WHEREAS, it is planning to process and store for up to four weeks 259,000 tons of material per year from a list of 325 chemicals, many of which are known carcinogens and among the most hazardous to man, threatening the air we breathe, our water resources, and our agricultural industry in Western Pennsylvania; and

WHEREAS, the 1983 and 1984 construction permits for this toxic waste incinerator would not have been allowed under current Ohio law, may not be adequately enforced by the State of Ohio, allow emission of

4.7 tons of lead and 1.2 tons of mercury per year, and state only that federal Environmental Protection Agency (EPA) requirements may be met in the future; and

WHEREAS, the construction and long-term utilization of such a dangerous facility begs the larger public policy question of managing toxic waste through mandating more efficiency and reduced output of pollutants by private industry.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh calls upon the Ohio Attorney General to vigorously enforce that state's hazardous waste treatment facility permit regulations and make available for review to concerned organizations all information pertaining to the incinerator; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh requests that the Allegheny County Board of Health perform air water quality analyses and asks that the Pennsylvania Attorney General request the same of the Department of Environmental Resources to determine the impact of the new toxic waste incinerator upon the City and environs; and

BE IT FURTHER RESOLVED, that construction of this facility be halted until the health and safety of the residents of Western Pennsylvania, Northern West Virginia, and Eastern Ohio is assured.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much, Members of Council. Before we all say a few statements

about this, I'd like to introduce the people that are up here with me.

First to my left, is Jerry Kruth, who brought this to Councilman Wagner's and my attention a couple of weeks ago, really a leading environmentalist and also who writes for the paper "In Pittsburgh". We also have Earl James from the Rachel Carson Homestead Association, Lorraine Smith from GASP which we all know was founded by Michelle Madoff, Mr. Clare Zitka from Clean Water Action, Monica Road from Green Peace, David Tessatore from the Sierra Club, Terry Swearingen from the Tri-State Environmental Council.

We also have two foreign representatives here, and we're very privileged to have them, from the City of Donesk in the Soviet Union. It is a sister-city of Pittsburgh and they sit on the Environmental Council of the City of Donesk. Let me try their names; Dimitri Sikorski and Nikolai Drones. Thank you very much for coming here.

This is a very important issue. Even though it is a facility that is in Ohio, it really could have a serious effect, environmental effect, here in the Pittsburgh area and Western Pennsylvania and I think that on this issue we are really lurching from crisis to crisis. What we need to do, I think, is step back and take a long-term view as to how to manage toxic waste and, ultimately, how to reduce the level of toxic waste rather than having these kinds of incinerators that really could have a serious environmental effect on this whole region.

Mr. Barnar:

Thank you for your time, Councilmembers.

This is an example of a local issue come global for me. As many of you know, I work for a

group called the World Federalists Association and last year, along with the Sierra Club and the United Nations Association, we had a panel of eminent Pittsburghers including professors and even some business people who talked about global environmental issues, and toxic waste was one of the issues.

I just wanted to share a paragraph from that report which said, "The traditional thinking behind the disposal of hazardous waste has been that someone will want the money and therefore someone will take it. Reality, though, is that most poor countries do not want another country's toxic waste. The 'not in my back yard' phenomena extends to most regions of the globe."

Three general principles should govern the problem of toxic waste. One, if you make it, then you dispose of it. Two, industry should seek a goal of zero toxic emissions and waste to eliminate the problem entirely. And three, the world is currently governed by a driving force that pollution is innocent until proven guilty. The burden of proof is placed on the environmentalists to show that a problem exists. A new principle is needed that polluters should have to prove that emissions are safe before they are allowed. Prior and foreign consent from a country should be required before a company can transport hazardous waste into that company.

For me, those same kinds of principles, I think, extend to our local communities. And, unfortunately, the principle of federalism is being violated here in that Ohio is allowed to set standards that will influence us.

We hope that the City Council and other parts of the City and County governments are concerned about what is over our heads in addition to what is on our ground. We're usually concerned about land and about water, but the atmosphere is something that we share and are

affected by regionally, and in this case between states, and we're glad that you are supporting this effort and looking at what's over our heads and coming in through our lungs, especially Councilwoman Madoff.

Mr. Cohen:

I'd like to have Terry Swearingen of the Tri-State Environmental Council also speak to us, please.

Ms. Swearingen:

I just want to thank you for this opportunity. I wasn't prepared to speak today but I'd like to quote Abraham Lincoln who said, "To sit in silence when they should protest makes cowards out of men". I respect you for your courage in being at the forefront of taking action, to actually do something to halt the environmental crisis that we're in the midst of today.

As long as incinerators are built, there's no incentive for industry to reduce the amount of toxics they use or the amount of hazardous waste they produce. This is a serious problem that needs to have serious consideration. Thank you for doing that.

Michelle Madoff:

I was contacted by one of your representatives, actually two of your representatives, I believe -- Are you the lady I spoke to on the phone? Sorry, we haven't met yet.

I wish I wasn't as exhausted and could get really actively involved, but I told you and I think it needs to be told publicly that DER and EPA must play a major role. And, unfortunately, what you reported to me was that they're saying -- As someone stated, they're not guilty until proven so and that we environmentalists are the guilty ones.

There's no doubt in my mind that all these resolutions in the world, because I went through this 20 years ago when we started GASP, is not going to do the job for you. The first thing you have to do is shut them down. You have to take a lawsuit, cease and desist, and stop them now and then try to put the burden of proof, to err on the side of safety. We need to see some dispersion models.

Let me point out to anybody in laymen's language, in case they wonder what this is all about and how serious it is. We eat the produce from the farms where these hazardous materials are going to go into our earth. It affects this whole region and what affects this whole region will be duplicated across the nation. We need to get every group involved.

And I do not understand when I spoke with people, why the leading environmental groups in the country have not taken a major role in this, and I'm concerned about that. Why were they not convinced? What are their reasons? That is what I fear in some kind of litigation, the Environmental Defense Fund, etc., etc. We could list them all but we don't need to.

You need to find somebody, it's sort of late in the day, but you have to find somebody late in the day. I don't know who your legal counsel is but you need somebody like Tony Picadio or Marvin Fein, they were on the Strike Force for the State, who really know this business and who really can do something to make them stop before they go any further. That's really what it's all about right now.

You talk about, "Isn't that wonderful? We'll support you. Isn't that terrible?" But it isn't going to stop the problem unless somebody takes some kind of legal action and we start raising money all over the country to say this is a prototype of what could happen. We're all

involved and everybody ought to pledge to support this action, this lawsuit, and I'll pledge some money. But let's get going.

The Chair:

I'd like to make a couple comments. First off, I want to thank all of you for being here today and certainly educating Council in regard to this situation, and especially you, Jerry, in several discussions with Dan Cohen and myself and the support of all of Council on this resolution.

This resolution is a very important resolution and I would hope that the media would be tuned in to it. And I, as Council President, have seldom ever asked that.

This plant creates a far greater potential of danger to this region than anyone realizes and it truly should not be constructed unless we are absolutely, positively, without a doubt sure that it is safe. We are not sure of that. This region has gone through a transformation in the last 40 to 50 years in terms of air and water quality improvements that has set a pace for this world through Renaissance I and Renaissance II by improving the air quality when this was once known as The Smoky City, to what it is today, and the water quality on our three rivers.

This plant potentially can bring us backward in time with the largest chemical waste incinerator in the world, 38 miles from our City. Now, it sounds like 38 miles is a long way off, and in some ways it is, but we are down-wind from that plant.

I must also say that the largest industry in this state is agriculture and the waste to be burned in this plant, in this incinerator, will be distributed in the Commonwealth of Pennsylvania, the City of Pittsburgh, and Allegheny County. This plant could harm the health of our children for decades to come. It is not safe. It has not been proven that

it is safe. Therefore, the resolution by this Council is, quite simply, that construction of that plant should be halted until it is absolutely, positively proven that it is safe. We don't think it is. We think that's the reason why Ohio is in support of building a plant in the far southeastern portion of Ohio because it is not going to harm Ohio, except for the residents of East Liverpool, Ohio. This plant is going to harm the Commonwealth of Pennsylvania and the Panhandle of West Virginia.

So, I would ask all of you in our audience today, all of you tuned in to Channel 17 Cable, to be tuned in to this issue because this issue and this plant could truly harm generations to come in this region.

Mr. Ferlo:

Mr. President, our Law Department in the City has a history under the previous Solicitor and also under Mary Conturo being an advocate for our municipality on a wide range of issues from utility reform to anti-trust suits and others that we don't have time to talk about today. I would ask that we refer this proclamation to the Administration and specifically to the Law Department, and ask, as Michelle spoke about earlier, what our legal options are, if any, either contained in federal law and/or PUC law or any other law, and see what options we have. I would like to ask that we forward that and ask for a final report from the Solicitor.

The Chair:

We will do that. And I would also like to suggest that some time within the next couple weeks that this Council, if we can find a convenient time for the majority of us, to actually go to the plant and to see what's happening and to create public awareness to the issue as Martin Sheen did several weeks ago and many of the people here did several weeks ago. We should

continue to do that and should stress publicly that construction be halted.

Mr. Cohen:

Mr. President, if I may. I think it's a very good idea because I think that if anybody should be taking an environmental position like this, it's the Council of the City of Pittsburgh. We are a City that really recreated itself, that really took a smoky city and changed it, just as you've said.

I've just been handed a not that Monica Roady from Green Peace wants to present us with something, and I think it might be those dirty sneakers in your hands.

Ms. Roady:

Good morning. As appreciation of your efforts, Green Peace and the citizens who are currently taking place in a march from all over points of Ohio walking to the Capitol of Columbus in protest of hazardous waste incineration, we'd like to present you with this pair of tennis shoes that have been used in this march. We thank all of you from the bottom of our soles.

Michelle Madoff:

Excuse me. Is there a telephone number where people can call to make contributions to pay for your legal counsel which is what you need right now and you need it yesterday. Who has the number. Where can people call to get involved and send you some money because you need to hire one of the top attorneys yesterday.

Ms. Swearingen:

They can call me at 304-387-0574.

Michelle Madoff:

And they can make a contribution?
You'll tell them where to send the money?

Ms. Swearingen:

That would be great. They can send it to
me or —

Michelle Madoff:

I'll give you \$100 today. Let's everybody
set an example. Stop by our office when you're
through.

Mr. Cohen:

I want you to know that I'm accepting
these sneakers on behalf of all of Council and I'll
be sure to pass them around to you. And after
looking at them pretty closely, I'm sure that they
are legal under the Ethics Bill.

The Chair:

Thank you all for coming.

Mr. Darkins presents

No. 2819 WHEREAS, on Thursday,
June 20, 1991. Urban Scouting in Action Day
will take place from 11:00 a.m. to 2:00 p.m. in
Market Square, located in Downtown Pittsburgh;
and

WHEREAS, the programs of scouting
have always been recognized as one way to build
character in young men and instill the ethical
standards so necessary for a productive adult life;
and

WHEREAS, Urban Scouting Day is
designed to give youth from the urban
community of Pittsburgh the opportunity to

demonstrate various scouting skills to the public;
and

WHEREAS, the program will consist of
skill demonstrations, tent pitching, knot displays
and a special guest appearance by Steeler wide
receiver Louis Lipps.

NOW, THEREFORE, BE IT
RESOLVED, that the Council of the City of
Pittsburgh commends Urban Scouting in Action
Day Chairman, Howard B. Slaughter, Jr. and all
the volunteers who support the urban scouting
mission to "reach out to our youth"; and

BE IT FURTHER RESOLVED, that the
Council of the City of Pittsburgh declares
Thursday, June 20, 1991 as "Urban Scouting
Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like Mr. Foster and the other
representatives from the Garfield Jubilee, St.
Stephans, Bruce Jones, for this proclamation.

Mr. Ferlo presents

No. 2820 WHEREAS, 50 GOOD MEN
is a collaborative project of St. Stephan's
Episcopal Church in Sewickley, St. Paul's Baptist
Church in Garfield Jubilee Association's
Christian Partnership Housing Program which
rehabilitates homes for needy families; and

WHEREAS, the collaborators recruited
over sixty volunteers, most of whom gave up one
week of their vacation time, for the complete gut
rehabilitation of 5020 Kincaid Street in Garfield;

and

WHEREAS, Denise Caldwell and her family, the prospective home buyers, also invested their "sweat equity" into 5020 Kincaid Street; and

WHEREAS, the all-volunteer rehabilitation of 5020 Kincaid Street will be celebrated during a Dedication/Open House service on June 30, 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and recognize the volunteers of 50 GOOD MEN and their accomplishments at 5020 Kincaid Street.

Mr. Ferlo moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Members of Council, as all of us are very aware, we spent a lot of energy and we have directed a lot of City and federal dollars to the area of housing and housing concerns. One group certainly that has been a shining light in the City is the housing organization in the Garfield community which, as Bishop Darkins is well aware of, the Garfield Jubilee Association. They have been able to do a lot with a little bit of resources and this is an even more dynamic activity because they represent the coming together of a lot of volunteers doing something very important. And I'm sure the future homeowner and her family could probably speak volumes about what it means to have a house.

At this time, I'd like to introduce Wheeler Winstead, Mr. Foster, Bruce Jones from St. Stephan's. And we have to get Bill Foster up here

from the Garfield Jubilee. And we always have Wheeler to kick around too, so maybe we'll get a few comments out of him too.

Mr. Jones:

Thank you, Councilman. Thank you for the opportunity and thank you for the dedication. It has been a lot of fun over the last month and before that in planning.

50 GOOD MEN, you may be wondering what that means. It's a handle and it means that 50 people gave one week worth of vacation. It would be equivalent to one person on a job for a year. So that's how we came up with the handle. It is men. There's a lot of good women out there too, but on this project it was men working together.

It was also a real steady and creative partnership with two churches, St. Stephan's in Sewickley and St. Paul in Garfield, and the Garfield Jubilee coming together. It proves in the private sector that organizations and churches can pull together to serve the greater community.

It also demonstrated, for me, sacrifice and service. All these gentlemen gave a lot of time and a lot of energy and a lot of sacrifice to serve God. And we had a lot of fun in the process. Thank you again.

Mr. Ferlo:

I'd like to introduce Bill Foster, Executive Direction of the Garfield Jubilee Association.

Mr. Foster:

Thank you, Councilman. Good morning. I just want to take time to thank you on behalf of the Garfield Jubilee and the community. I think what we see here is just another championship performance from the City of Champions. The

effort and time and energy spent by the men at St. Stephan's and the fellowship of St. Paul's and the work of all the people involved is just another example of why Pittsburgh is one of the most liveable places to be.

Again, we thank you and hope that this is just an incentive to other organizations and churches, etc., to do the same thing. Thank you, Council, and the City of Pittsburgh.

Mr. Winstead:

Just as a parenthesis to what was already said, this house was totally gutted and rehabbed in 30 days. Totally gutted and rehabbed. I don't know if you know anything about gut rehab but it usually takes 60 days when you pay people. It was a job done in less than 30 days.

We invite all of you to come to the open house which will be this Sunday, between 1:00 and 3:00 and I think you'll be amazed by what was done by the men of St. Stephan's.

Hard work seems easier when it's appreciated and we certainly do feel honored to have you appreciate what the men of St. Stephan's have done today and have done on the House.

Jim Ferlo has been a friend of mine, and so has many other Members of Council been a friend, and I believe Jim is the kind of friend that would give the shirt off his back for me. Seeing as he's that kind of friend, I think I'll give the shirt off my back for him.

Jim, you might want to know that this even has a little sweat equity so if you don't get a chance to put any sweat on it, it already has some. Thank you.

Mr. Ferlo:

That was different. If you need any more houses, Wheeler, I have one on North Saint Clair Street that you can come and work on.

I'd like to welcome up a couple close friends from the Arsenal Board of Trade. Allen and Mrs. Crowley, please come forward.

Mr. Ferlo presents

No. 2821 WHEREAS, the Arsenal Board of Trade has organized and sponsored the oldest and longest running community based July 4th Celebration in the City of Pittsburgh which is now in its 46th year; and

WHEREAS, this year's celebration will take place at Arsenal Park in the Lawrenceville community on Thursday, July 4th beginning at 12 noon with the Raising of the Colors and Honour Guard; and

WHEREAS, the day's events and activities include kids' races, pony rides, a petting zoo, story telling, clowns, children's games, skydiving, a historical working tour of Old Lawrenceville with Jim Wudarczyk, music by the New Anthem Band and Magic Moments, a special appearance by Mike Pruszyński's Line Dancers, a baseball game between the 9th Ward Home Team vs. the visiting 10th Ward Team, girls' softball, and much more; and

WHEREAS, the day's events will conclude with a Community Awards ceremony featuring special awards to our community's Pony Tails and Little League players, first time awards for an essay and art contest co-sponsored by the Lawrenceville Boys and Girls Club, and Community Service Awards presented to the former staff of Arsenal Park including Richard Baburich, Michelle Fazio, Bob Kimmerling, and Tom Szacowny for their years of dedication and

service as City of Pittsburgh employees serving the public at historic Arsenal Park; and

WHEREAS, the grand finale of the Arsenal Park July 4th Celebration will be a Fireworks display by the famous Zambelli Internationale scheduled for 9:20 in the evening; and

WHEREAS, "This could only happen in America".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Arsenal Board of Trade and its President, Mr. Alan Becer, and all of his volunteers and the Lawrenceville community for hosting such a spirited and festive event for all to enjoy; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh encourages all residents to visit and participate in the Lawrenceville celebration or an event in their community on July 4th to pay tribute and take pride in living in the greatest nation on earth.

Mr. Ferlo moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Members of Council, we have a couple of the officers of the organization here, Mrs. Amelia Crowley is here as well as Alan Becer who is President of the Arsenal Board of Trade. This small cadre of volunteers for many, many years has been putting on an event in Lawrenceville that has drawn several thousand participants, especially families with a lot of children. It's a great event and it's an event that City Council has supported for many, many years and hopefully

we'll continue to support it in an even bigger way in the future.

At this time I'd like to ask Alan to say a few words and present them with this proclamation.

Mr. Becer:

Thank you, Jim. I just want to say that I graciously accept this on behalf of the Arsenal Board of Trade and our other officers, Maureen Crowley, our Vice-President, Francis Kopta, our Treasurer, and Debbie Star, our Secretary. Also, as Jim mentioned, I have Amelia Crowley here who has served for many years on our Planning Committee, putting on the Fourth of July, and she also works all day long at Arsenal Park.

As Jim mentioned the word volunteer, I would like to make it clear that all of us on the Arsenal Board of Trade, myself included, are non-paid volunteers where most of us are residents of the Lawrenceville area who believe in the celebration and we want to keep it going.

As Jim mentioned, we're in our 46th year; the celebration has been around since 1945. We believe in it. Most of us, at least myself, I used to go as a kid and I enjoyed it and I like to see the young people enjoy it today.

I also would like to take the opportunity to thank all of our volunteers, all the merchants, businessmen, who contribute to our celebration.

Also, since perhaps this is done very rarely, I'd like to thank a number of the City departments; without their help we could not put this on. First of all, I'd like to thank City Council for its help, especially Jim Ferlo who has really been a prime mover behind our celebration this year. I'd like to thank the Office of the Mayor, Mayor Sophie Masloff. Also, the Bureau of Public Safety, Chief Mayer DeRoy and also

Commander Patterson and Lieutenant John Book and the men of Zone 2 Station who help us out every year. Also, Captain Robert Friel of the Fire Prevention Unit and the men of Station No. 6 of the Fire Department. And the one City agency that we work closest with is the Department of Parks and Recreation. I would like to thank a few people there; Mr. Jeff Horan who is Assistant Director; Dom Stratiff who is a Park Supervisor from the Eastern Division; Robert Jones who is in the Accounting Department; the maintenance staff at Arsenal Park and Mr. Eric Vandenhengel who is the Program Coordinator with the community festival. Without their help and some others, we would not be able to put this festival on.

Lastly, I'd like to invite all the Members of City Council, all the residents of the City of Pittsburgh, to come out to Arsenal Park on July 4th and join us for the oldest celebration and what we think is the best Fourth of July Celebration in the City of Pittsburgh. Thank you very much.

Mr. Millions presents

No. 2822 WHEREAS, in 1891 the Central Baptist Church was organized by the Reverend John H. Pryor with about 150 members; and

WHEREAS, over the next 20 years, with the leadership of three more pastors and a rapidly growing congregation, the Central Baptist Church in 1913 settled into what is now its current home on the corner of Wylie Avenue and Kirkpatrick Street; and

WHEREAS, in 1938 after struggling through the Great Depression and still managing to raise money, make improvements and increase the membership under the leadership of more fine pastors, the Church officially installed Reverend Dr. Cornell Talley as its seventh pastor; and

WHEREAS, Reverend Talley and the Central Baptist Church sponsored the First Freedom Rally on June 19, 1960 at Forbes Field, evidence of the integral role they played early on in the Civil Rights Movement; and

WHEREAS, after 1961 with the resignation of the selfless Reverend Talley, the Central Baptist Church went for over a year without a pastor, until the Reverend Isaac Green of Fort Worth, Texas became the Church's eighth and current pastor; and

WHEREAS, under the fine teaching ministry of Reverend Green, the Central Baptist Church stood as a beacon of light to the Black community through the crisis of the Civil Rights Movement; and

WHEREAS, Reverend Green developed a financial plan, further improvements to the Church, and more Church organizations geared to the spiritual growth of its members; and

WHEREAS, not only has the Church grown spiritually, but its gospel is now televised to help fulfill their mission to further reach the people.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins in thanks and celebration with the Central Baptist Church in the year of the 100th Anniversary of their existence, hard earned through setbacks, losses, and changing times, and possible through member commitment and progressive, selfless leadership.

Mr. Millions moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones presents

No. 2823 WHEREAS, the Reverend Samuel Williams George was ordained by the Fairfield Presbytery on April 29, 1949, and began his ministerial sojourn as Pastor of Trinity Presbyterian Church in Mayesville, S.C. and later became the spiritual leader of the Bethlehem Second Presbyterian Church in Oswegeo, S.C.; and

WHEREAS, the Reverend Samuel Williams George recognized the needs of the people in Sumter County, S.C. and provided a ministry which would uplift their spirits, save their souls, and help them exercise some control over their earthly existence; and

WHEREAS, the Reverend Samuel Williams George preached to his congregations on Sunday and worked in the community during the week helping individuals to become registered and able to vote; and

WHEREAS, the Reverend Samuel Williams George, after 11 years in South Carolina, moved to the Ascension Presbyterian Church in Fort Lauderdale, Florida, where his ministry moved into the mainstream of community efforts; and

WHEREAS, the Reverend Samuel Williams George, as President of the Fort Lauderdale NAACP, Regional Director of the Florida State branches of the NAACP, and as a Member of the Broward County Committee on Quality Education, stayed in the forefront of the struggle for civil rights; and

WHEREAS, the Reverend Samuel Williams George moved to Pittsburgh, Pennsylvania where he became Pastor of the Grace Memorial United Presbyterian Church and guided a theology that created a true picture of "God At Work In People"; and

WHEREAS, the Reverend Samuel Williams George is a chartered member of the Hill Opportunity for Progress and Education, the Uptown Kiwanis Club, the Teacher Corps Community Council, Convener for the Margaret Milliones Middle School Consortium, the Coalition for Quality Education in Public Schools and the National Council on Race of Religion and Race of the Presbyterian Church.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby join with the congregation of the Grace Memorial Presbyterian Church in the Retirement Dinner Tribute for the Reverend Samuel Williams George for his forty years of tireless, spiritual and community leadership.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

At this time I'd like to invite Bernadette Urbani-Neri, our translator from the Vice Consulate, Coaches Driscoll, Ferri and Pagano, and the entire Italian Basketball Team to please come forward.

Mr. Ferlo just whispered that he was unaware that Italians had basketball teams in Italy. I'm very disappointed he said that.

Mr. Ricciardi, Mr. Ferlo and Mr. Regan present

No. 2824 WHEREAS, the Italian Basketball Team consisting of young women ages 14-19 will be competing in our fine City of Pittsburgh from June 24 - July 22; and

WHEREAS, the team, along with their two coaches, Alexander Ferri and Romano Pagano, will compete against All-Star teams from such places as Quigley High School, North Catholic High School and Mt. Alvernia High School, as well as international teams from both Canada and France; and

WHEREAS, Quigley High School Coach Ed Driscoll is to be commended for his efforts in helping to bring the Italian team to Pittsburgh, and taking on the responsibility of their area host; and

WHEREAS, the purpose of this trip goes beyond the spirit of athletic competition, to extend to the many friendships established, the experiences shared, and the fond memories to be carried back to their Italian homeland and treasured throughout the years; and

WHEREAS, the Italian team, along with the Pittsburgh teams, will be exposed to a variety of experiences which will help to bridge any cultural gaps existing between the American and Italian societies.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor this fine group of young athletes and welcomes them to our City on this day, June 25, 1991. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

First of all, I'd like to point out that this resolution is sponsored by Councilman Bernard

Regan who is responsible for today's events, Councilman Ferlo and myself.

Very briefly, I would just like to say, as the resolution states, Coach Driscoll is to be commended for his fine efforts in continuing to build good will between the American society and our visitors from abroad.

Now I would like to ask Councilman Ferlo to please introduce our translator, and from there, Mr. President, I would like to ask you to accept the gift from one of our Italian coaches.

Mr. Ferlo:

As my colleague said, I want to thank our international traveler, Mr. Regan, who is away in another country, for once again helping a great sports event and helping, once again, to extend the hands of friendship from America to another country, in this case the country of Italy.

I'm very honored to be a part of these proceedings this morning and we have a special thing we're doing here this morning. We don't usually do this but we want to be bi-lingual, so we want to also read the proclamation in the Italian native tongue so that we can fully appreciate exactly what's going on here today.

We have Bernadette Urbani-Neri here who represents the Italian Vice-Consulate, Joseph D'Andrea, and we'd like to have her read the proclamation.

Ms. Urbani-Neri:

RESOLUZIONE POICHE, la squadra italiana di pallacanestro composta di giovani da quattordici a diciannove anni vanno a concorrere nella nostra bella città di Pittsburgh dal veintiquattro di giugno al veintidue di luglio;

POICHE, la squadra, con i suoi

allenatori, Ferri Alexander e Pagano Romano, concorrerà contro le squadre "All Star" da scuole come Quigley High School, North Catholic High School, e Mount Alvernia High School, come pure squadre internazionali, Canada e Francia;

POICHE, l'allenatore della Quigley High School, Ed Driscoll, e da essere lodato per il suo bel lavoro aiutando di portare questa squadra a Pittsburgh, e nell'assumere la responsabilità di esser l'ospite per questa squadra in questa località;

POICHE, l'intenzione di questo viaggio supera lo spirito della competizione atletica, le amicizie nuove stabilite, le sperienze comuni, i ricordi affettuosi che vanno ad essere portati alla loro patria, "l'Italia", ricordi che si tenderanno stimati verso gli anni;

POICHE, la squadra italiana, con le squadre di Pittsburgh, va ad aiutare di colmare qualche lacuna culturale che esista fra la società americana e quella italiana;

POICHE, il "Council" della Città di Pittsburgh con il presente onora questo bel gruppo di atleti giovani e danno a loro il benvenuto alla nostra città addì il venticinque di giugno, millenovecentonovantuno.
"SOLTANTO IN AMERICA!"

Presentata dai "Councilman" Regan, "Councilman" Ricciardi, e "Councilman Ferlo.

Coach Ferri: (through translator)

I would like to thank the people who have invited us to America as their guests and all the families who welcomed the girls' team.

We hope to spend a good month in Pittsburgh and we hope that you all have a good impression of our team.

This is a gift from the Mayor of our City. It's an old map of the city made in 1743.

Mr. Ricciardi:

In closing, again we'd like to thank Coach Driscoll again for his fine efforts in building good will with the Italian team and we wish them the best of success and happiness in this Country. Thank you very much.

The Chair presents

No. 2825 WHEREAS, Mr. Martin A. Damalak joined the Beechview Lions in April, 1953 and has a perfect attendance record to this day; and

WHEREAS, Mr. Damalak has served the Lions Club in many capacities including: Board of Directors - 1957; Lion Tamer - 1960; President - 1963, 1973 and 1981; Advanced Key - 1972; Master Key - 1983; and many other committee chairmanships and offices; and

WHEREAS, Martin Damalak has sponsored 44 new Lion Members, was active in forming four other clubs, has been a delegate to many state and international conventions, and since 1982 has served District 14 B, Allegheny County, in many capacities and is the recipient of the International Presidents Awards for Devotion to Lionism in 1991; and

WHEREAS, Martin A. Damalak lives in Lionism 24 hours a day. His interest in community projects and works in obtaining help for others has been a part of his life since becoming a Member of the Beechview Lions in 1953. He truly exemplifies the motto of the Lions - "We Serve".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend

Martin A. Damalak for his generous works through the Lions Club and his untiring devotion to his fellow man.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 2799 Resolution transferring \$40,000.00 from Code Account 1080, Consumer Protection and Anti-Trust Proceedings, Dept. of Law, to Code Account 1490-9, Workers Compensation, Dept. of Engineering and Construction. This resolution is necessary due to the medical expenses incurred when an Engineering and Construction employee had a total hip replacement. This was a result of a recurrence of a previous injury.

Which was read and referred to the Committee on Finance.

Also,

No. 2800 Resolution authorizing the Mayor and the Director of the Dept. of Engineering and Construction to execute a license agreement with the CSX Transportation, Inc. and The Pittsburgh Water and Sewer Authority in connection with the construction of a sewer across a right-of-way owned by CSX Transportation, Inc., approximately 210 feet southeast of the intersection of Second Avenue and Swinburne Street, 4th Ward.

Also,

No. 2801 Resolution further amending Res. No. 1415, effective January 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community

Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by providing 1991 funding for EC 506 (EMS #2). This resolution provides additional funding needed (\$665,335.00) for the purchase of property and construction of EMS Prototype Stations at least two (2) locations: Bausman Street (Council District #3) and at a site to be identified in Council District #7.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 2802 An Ordinance amending the Pittsburgh Building Code of Ordinances, Title Ten - Existing Structures Code, Article 7, Fire Safety Requirements, to require automatic fire sprinkler systems in high-rise buildings.
--(SPONSORED BY MR. COYNE)

Which was read and referred to the Committee on Public Safety.

Mr. Darkins presented

No. 2803 Resolution adopting Official Sewage Facilities Plan for Dormitory-University of Pittsburgh.

Also,

No. 2804 Resolution granting unto Robert Wholey & Co., Inc., 1133 Penn Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, one (1) dock on 15th Street and two (2) docks on Smallman Street on a portion of the right-of-way of 15th Street and Smallman Street in the 2nd Ward, 6th District of the City of Pittsburgh. Robert Wholey & Co., Inc. has requested this approval for encroachment to better control the flow of traffic along 15th Street

between Penn Avenue and Smallman Street.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2805 Resolution transferring the amount of \$27,786.37 from Code Account CC, Community Communications Trust Fund, Dept. of Public Works, Bureau of Cable Communications to the Grant Street Trust Fund, Dept. of Engineering & Construction. This resolution will reimburse the Dept. of Engineering and Construction for installation of conduit for direct video communications between the Bureau of Cable Communications, 9th Floor, City-County Building, the old Public Safety Building, and the future Public Safety complex.

Which was read and referred to the Committee on Finance.

Also,

No. 2806 Resolution accepting from Edward and Rosemarie Balzer, 423 Fisk Street, and Frank Tysarczyk, 421 Fisk Street, certain property known as Private Mintwood to be used for street right-of-way and other public purposes in the 9th Ward, 7th District of the City of Pittsburgh. Edward and Rosemarie Balzer, and Frank Tysarczyk, have presented a petition and ask the City to accept the dedication for street

purposes this right-of-way.

Also,

No. 2807 Resolution granting unto North of Forbes, Inc., 2313 E. Carson Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy with clock on a portion of the sidewalk of East Carson Street in the 16th Ward, 3rd District of the City of Pittsburgh. This request is made by North of Forbes, Inc. that due to the remodeling of Birmingham Place the canopy with a clock will enhance the decor.

Also,

No. 2808 Resolution granting unto Carnegie Institute, Forbes Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense two light poles on a portion of the sidewalk of Forbes Avenue in the 4th Ward, 3rd District of the City of Pittsburgh. This request is made by the Carnegie Institute to better light the front entrance to their building.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2809 Resolution Repealing Res. No. 114, approved March 16, 1989, entitled, "A Resolution providing for an Agreement or Agreements with a Consultant or Consultants for a Feasibility Study of a Replacement Bridge at Ellsworth Avenue and Ravenna Street over the Martin Luther King Busway for vehicular and pedestrian travel; and providing for the payment of the cost thereof." Cost not to exceed \$15,000.00, chargeable to and payable from Code Account EC 89-80.

---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Engineering and Construction.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 2810 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the "Community and Social Services Programs in Public Housing Communities" and the "Rehabilitation and Modernization of Housing for Low and Moderate Income Persons" program (HA-345) at a cost not to exceed \$1,510,000.00, chargeable to and payable from the 1991 CDBG Program - Housing Authority (HA-345) "Rehabilitation and Modernization of Housing for Low and Moderate Income Persons".

Also,

No. 2811 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the "Community and Social Services Programs in Public Housing Communities" (HA-459) at a cost not to exceed \$200,000.00, chargeable to and payable from the 1991 CDBG Program - Housing Authority (HA-459) "Community and Social Services Programs in Public Housing Communities"

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Millones presented

No. 2812 Resolution providing for the issuance of a \$768.00 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage to a leased vehicle that was used by City Detectives in the performance of undercover work during the summer of 1989, payable from Code Account No. 46, Judgments.

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2813 Communication from Mary K. Conturo, City Solicitor, submitting a quarterly report of the settlement of small claims not exceeding \$750.00 for the First Quarter of 1991, payable from Code Account No. 1081, Petty Claims. Also, submitting a quarterly report of the settlement of claims in excess of \$750.00 for the First Quarter of 1991, payable from Code Account No. 46, Judgments.

Also,

No. 2814 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of the Department of Public Safety, Police and Fire Administrative and Support Services for the years ended December 31, 1990 and 1989.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Millones presented

Bill No. 2815

Report of the Committee on Finance for June 19,

1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2721

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pennsylvania Department of Environmental Resources, in the amount of Two Thousand (\$2,000.00) Dollars, in payment for civil penalty fee for failure to register underground and above ground storage tanks by February 5, 1990."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
	(Pres't)

AYES 6 NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2725

An Ordinance entitled, "An Ordinance amending and supplementing Ordinance No. 28 of 1990, approved November 19, 1990, entitled, 'An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article XI - Personnel, by adding Chapter 197, Code of Conduct - providing public officials and employees with a code of conduct, providing for education as to the same and establishing a Pittsburgh Ethics Hearing Board to adjudicate charges as to certain provisions thereof, by adding a definition of consultant under Section 197.02, by adding a new Section 197.08 to provide for financial disclosures by public officials, City employees and consultants, and by renumbering subsequent Sections 197.08 - Ethics Hearing Board through 197.15 - Penalties." (AS AMENDED IN COMMITTEE) --(SPONSORED BY MR. FERLO, MR. RICCIARDI & MR. COYNE)

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward on Bill 2725, the amendments to the Ethics Bill.

Mr. Cohen:

Same thing on the same bill, Mr. President.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 2725-Wednesday, 6/19/91)

Mr. Cohen:

I don't think it really matters who takes the credit for this bill. It is an important bill. I am glad personally to see that Councilman Ricciardi in particular has dropped his opposition to this bill, because I think it will allow it to move forward.

My view of the State Act is that it requires the very people who are on here to give financial disclosure. The problem has been that the interpretation by the city does not require these people to have financial disclosure. I think the term in the state law is "non-ministerial," so if we make it explicit here to require city employees involved in contracting or procurements, inspecting, licensing, et cetera, I think it will make it very clear that those employees should also be making financial disclosure.

The second half of it on consultants I think is very important, because the city does millions of dollars worth of business with consultants. And for people who might be listening who don't know exactly what that term means, "consultant" really includes virtually everybody in the private sector that does business with the city, we call "consultants," and that comes to, as I say, millions of dollars worth of business.

So we at least should know, I think, who the principals are, a description of the kind of work they have done with the city and other governmental bodies in the past, and what the qualifications and experience of that consultant is. So I am very happy this is moving forward. I think it is a real innovation in ethics legislation.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

(MR. RICCIARDI'S COMMENTS ON BILL NO. 2725-Wednesday, 6/19/91)

Mr. Ricciardi:

Thank you, Mr. Chairman. First, I would like to commend Councilmembers Ferlo and Coyne for bringing this amendment before us, and also Dan Cohen for much of the original language.

Looking this amendment over, if you look at it very carefully, in no way would it hinder the workings of city government. What this is hopefully going to do is get the taxpayers, as really stock owners in city government, an opportunity for full public disclosure. It will give the Administration and City Council the ability to review professional service contracts given out and the way they are given out. It will give the ability to the taxpayers to objectively look at these public/professional service contracts and to make sure they are very credible.

As members of City Council know, millions of dollars are given out in professional service contracts with a no-bid process. We have to make sure that we continue to restore the confidence, trust and faith in city government, and that is what I think this amendment would do.

(Deleted text.)

Mr. Ricciardi:

Thank you, Mr. Chairman. I would just like to say for the public record that this amendment was brought forward by Mr. Ferlo in the past and was defeated on a vote of 7 to 2; the only two Councilmembers at this table who voted for this amendment in the past were Councilman Ferlo and Councilman Coyne. Also, I would like to say it is good language, and much of it comes from the Los Angeles and Philadelphia bill. The first part on consultant, if you follow the Los Angeles bill, is almost verbatim, and also the second part for public employees, if anyone would check the Philadelphia ethics bill, they would see alot of it was also taken verbatim.

So no one really has ownership of the author of this type of language, no one really created the wheel wholely on this; we were all working together with other parts of the city.

Again, for the public record, this bill was brought up and defeated 7 to 2, with only Ferlo and Coyne supporting it in the past.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

(MR. FERLO'S COMMENTS ON BILL NO. 2725-Wednesday, 6/19/91)

Mr. Ferlo:

Mr. Chairman, the one amendment which has two elements has been before Council for the last week. I think it is pretty self-explanatory. These amendments were offered initially when the initial ethics bill proposed by Mr. Cohen was debated and subsequently approved by this Council. I do think at that time it had a hasty review and consideration, and a number of us, including Mr. Ricciardi and Mr. Coyne, are proposing reconsideration on the two elements of the amendments, basically dealing with financial disclosure as it relates to an additional class of employees filling out the annual State Ethics Form, and the second element dealing with responsibility of public disclosure, specifically the filing of a Statement of Affiliations regarding consultants who do business with the city. I believe it is a strengthening of the ethics law establish by the City of Pittsburgh, it is a broadening out of the power and intent of the state ethics law, and I would hope that we would give due consideration and support these amendments.

(Deleted text.)

Mr. Ferlo:

Let me review and articulate a couple points here. Specifically, let's think of this as two separate actions that we are taking in one bill. And if there is concern about either one, if need be we can make a motion to separate them out, if there is support for one element versus the other.

But I think all of us are familiar with the state ethics form Statement of Financial Interest Form, all of which as elected officials we file annually, I believe by May 1st, with the State Ethics Commission. This form is also on file in the Office of the City Clerk; it is public information. This form, as we all know, is filled out not only by all of the 11 elected officials in the city and county and state level, as well candidates for public office. And equally important, it is filed by department directors and other key levels of the Administration directly responsible for contract procurements, things of this sort.

The first element of this bill would extend the requirement to fill out this annual form to a larger number of employees working in city government who are directly responsible for such areas; and as the amendment talks about, the areas of

contracting and procurement. For instance, say you have a person that directly takes bids and interviews contractors and actually has a non-ministerial function as it relates to executing a contract or procurement, it would deal with, say, an auditor in the Finance Department who audits a business person. In other words, there are probably a couple hundred additional employees who perform non-ministerial duties in city government who would now be required to fill out this information. I think there is a need to do that. It not only represents good government, but I think it is safeguarding, and I think it is information that should be public.

These people, quite frankly, even more so than we as elected officials, have a lot to do with interactions with financial interests. And the information that you see, Dr. Milliones, talks about filing information regarding real estate interests. For instance, let's say you have a building inspector -- and I want to state very clearly, I am not casting any aspersion or implying anything in terms of any misconduct of any city employee or anything of the sort. That is not why we passed the ethics law initially. We are not saying we need these laws because they are guilty, we are saying we want to expand and further safeguard obligations that we all have as public servants.

Let's say you have a building inspector who works on the side for a building owners managers group. I think that is public information that we should know. In other words, the intent and the purpose of the financial disclosure on the Statement of Interest Form is so people have a fuller understanding of what people's obligations are, debts, creditors, real estate interests, other side occupations, and I think it represents good government.

The second element is the requirement that contracts entered into by city government -- Mr. Ricciardi talked specifically about professional service contracts. Again, I think this is a minimal requirement. All we are asking is there be evidence that the consultant who is proposing to do the work demonstrate in writing their ability to perform the work. It is a formal listing of the principals of the ownership of the concern. It is an indication of what other work they are doing currently or within the last three years for city government. You could have a consultant doing work with the Housing Authority, URA or Parking Authority and also being engaged by the Administration at Planning or the Mayor's office. We are only asking for that information to be disclosed. I don't think it would add a burden to the formulation of the contract. Contracts, as we all know, are boilerplate; they are about a 40 page document. We are asking for another couple pages of

information to be filed.

I want to expand. I think the one reason we do support the consultants is, the largest increase in the operation of city government outside of personnel has been reimbursement to consultants in the form of not only professional service contracts, but other kind of contracts that have been issued by city government. There is a dramatic rise in the last five years of relationships that city government has vis-a-vis consultants. I think that information should be disclosed more fully.

(Deleted text.)

Mr. Ferlo:

May I have a point of personal privilege? I just want to clarify, I would be the first to bestow great compliments to Councilman Cohen, not only because of his leadership on the first ethics bill, but if there is one thing I have been impressed with Councilman Cohen is his ability to take a lot of complex issues -- we saw that on the amendment yesterday on parking, we saw it on the creative approach to the TCI problem, and certainly this leadership he has shown not only on these amendments. I didn't mean to imply anything other than compliments.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 2741

A Resolution entitled, "Resolution providing for the transfer of funds totalling Twenty Thousand (\$20,000) Dollars from Code Account 1926, Index 192609, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1974, Index Code 197400, Repairs, Purification & Pumping Division, Department of Water."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2742

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants totalling Three Thousand, Two Hundred and Fifty-Eight

(\$3,258.00) Dollars for payment, without previous authority of law, to Western Union for the direct mailing of mailgrams to remote meter customers to notify and solicit appointments from those customers who were previously difficult to reach, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2745

A Resolution entitled, "Resolution providing for the issuance of a \$1,729.97 warrant in favor of Dawn Beckam and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2746

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as the Office of the City Controller's Vending Trust Fund (OCCVTF) for the deposit of funds to be used for the purchase of miscellaneous items."

Which was read.

Also,

Bill No. 2747

A Resolution entitled, "Resolution amending Resolution No. 372, Item A, effective April 29, 1991, which authorized the sale of a three story, inselbrick house, on a lot 60' x 77.5', known as 929 Anaheim Street, 5th Ward, designated as Block 27 B, Lot 112, to Carol Wiggins Koshal, for the sum of \$2,000.00."

Which was read.

Also,

Bill No. 2772

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain properties, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2816

Report of the Committee on Public Works for June 19, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2358

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title VI, Conduct, Article I - Regulated Rights and Actions, Chapter 601 Public Order, Sections 601.11 - Littering and Dumping 601.16 - Violation and Penalty and 601.18 - Rewards." (AS AMENDED IN COMMITTEE)
---(SPONSORED BY MICHELLE MADOFF & MR. FERLO)

Which was read.

Michelle Madoff:

I would like my remarks brought forward on this bill.

The Chair:

I also would like my remarks brought forward.

(REMARKS ON FOLLOWING PAGES)

(MICHELLE MADOFF'S COMMENTS ON BILL NO. 2358-Wednesday, 6/12/91)

Michelle Madoff:

I would like to make quick statement. It seems two bright people were working on the same thing at the same time, but not collectively, so we decided we would work together on it. My office was investigating various complaints concerning dumping in District 2, such as East Sycamore Street, Greenleaf, Middletown, et cetera. It became apparent that those who were dumping were in most cases contractors or businesses trying to avoid hauling and tipping fees for the proper disposal of their waste.

Given the city's current fines and insufficient enforcement, it is less expensive for dumpers to take the risk of getting caught and paying insignificant fines of as little as \$100.00, rather than them paying the tipping and hauling, approximately \$75.00 per ton, for construction waste.

The purpose of this legislation is to clarify the difference between littering and dumping by duplicating the 1990 state act of 47, which raises the fines from a previous range of \$100.00 to \$1,000.00 to a new range of \$500.00 to \$5,000.00, and up to \$10,000.00 for subsequent offenses. It also creates a mechanism to provide rewards up to \$500.00 to those who provide information leading to the arrest and conviction of illegal dumpers. This legislation also raises the amount an Environmental Service inspector may fine the owner of a littered lot to \$1,000.00, an increase equal to a fine from a building inspector. Right now the building inspector can give \$1,000.00, but Environmental Services cannot.

This legislation sends a strong message to potential violators, "If you dump in the city, you could face a \$5,000.00 fine and the community will be looking for you."

The reward section is slightly different than the graffiti trust fund, because the reward is based on the conviction of the dumper, not merely the arrest. The amount of the reward does not exceed the amount of the fine. It should be suggested that the Administration or Council should put in \$1,000.00 for start-up money from the trust fund to assure the rewards would be given out, but that is up for discussion. The state law allows for vehicles to be taken from subsequent offenders. We did not incorporate the section because of the local complexities that would be involved for the city. Many of the violations are called in by residents. A group of neighbors in Windgap not only caught the dumper of a construction waste, but scared them off. They ran and left their truck.

Will the Administration enforce by cooperating with the

residents in areas that are not spots for illegal dumping and possibly set up stakeouts by the appropriate agencies?

I think the bill is pretty much what Mr. Ferlo and I have been working on. I will tell you for the 13 years I have been here, this has been a terrible problem for the city. They bring in their garbage from the suburbs. If somebody is doing construction, they bring it in, dump it in our waste trash bins, and the city can't do it. We pay for this hauling.

You remember this, Jack? This has gone on for years. This is an attempt to really come into line with what the state has already mandated.

(Deleted text.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

(MR. WAGNER'S COMMENTS ON BILL NO. 2358-Wednesday, 6/19/91)

Mr. Wagner:

Chief Cimino, could you come to the table on this one?

Chief, because you are ultimately responsible for enforcement of this portion of the Code, first off, what is your opinion of it; how are we doing city-wide presently; how can this assist us in the future?

Mr. Cimino:

When we get involved with any dumping, it is usually by complaint. The material has been dumped after the fact. We have in many occasions gone through material to see if we can find a name on a receipt of some sort, a billing. We have been successful in very few cases where we were able to bring that person into court and to verify that maybe he had dumped it.

Other than that, you know, we suggest to private residents to get license numbers. We can bring it into court on their verification of who dumped. Normally, like I say, it is after the fact that something is dumped and it is pretty difficult to bring anybody -- we have to site the owner of the property for any illegal dumping that occurs.

Mr. Wagner:

How many locations do you think we have city-wide where traditionally we know where dumping occurs?

Mr. Cimino:

I don't know whether I can give you a specific answer, but usually your hillsides are really where it happens. Somebody just backs into a hillside and dumps it during the middle of the night. I get on Route 51 out there, that main traveled road in the West End, there are three piles of shingles that were dumped there. We went through it as far as with a shovel trying to see if there was any bill or anything in it.

Mr. Wagner:

How do you receive your complaints on this?

Mr. Cimino:

They will filter in either personally, over the phone, or

through the Mayor's Complaint Center, or again, from any particular member of Council.

Mr. Wagner:

And traditionally in a year's time, a month's time, how many people do you end up determining who did dumping and fining those people?

Mr. Cimino:

I would say in actual illegal dumping that we are addressing, I would say we are lucky to have three or four over the course of a year, we are able to prove sufficiently who did the dumping.

Mr. Wagner:

You see, I don't think we have a mechanism in place to find out who is doing the dumping, and that is what concerns me. I asked you the question about complaints for a reason. I really think that our various city departments, there should be a network of how complaints come into your bureau, and we should have an entire city-wide force of people, including Council. I know every Councilmember is very up on this issue in their own district and beyond. But do you get any complaints or any -- I shouldn't say "complaints," but information from other bureaus within Public Safety that this is happening, other departments?

Mr. Cimino:

Yes.

Mr. Wagner:

To what degree? How many times has the Police Bureau actually apprehended someone in the process of doing this?

Mr. Cimino:

That, I couldn't give you an answer. I think it is very low, because again, most of the dumping is not done in broad daylight, it is probably done in the hours that -- I think the residents, a lot of them that file the complaints, they don't want to get involved, but those that do with a description of the vehicle or license number, is usually sufficient enough to bring it into court and lower the boom.

Mr. Wagner:

I think what we really need is some type of mechanism within city government by which your bureau within the Department of Public Safety is notified of potential people doing this. I see no reason -- maybe we should have the Director of Public Safety here -- why the police in the evening are not sitting out on some of these roads with their lights off waiting for someone to come and dump in locations where we know dumping occurs.

You know, I compliment my colleagues, Councilwoman Madoff and Councilman Ferlo, on this change in the Code to give it more teeth, but we still have to find the people that are doing this. Truly, we all could go sit at a location, particularly the police that have the enforcement powers immediately to apprehend someone, and follow through with the appropriate convictions. But I don't think that is happening.

Enforcement here is really the key, in addition to amending the ordinance, and we need to develop a mechanism to achieve that. And I think your department can give better insight as to how that can be done, because all of you know where the problem areas are around the city.

Could you supply this Council with the various locations that have traditionally been identified as dumping grounds in the city?

Mr. Cimino:

I can do that.

Mr. Wagner:

That would be a good first start. We should then take that information and that should be relaid to all other departments and should be made public through the media as to where those locations are, and each Councilmember here can give you a dozen locations in their district, there is no doubt in my mind. And we need to make this more of a public issue in order to apprehend these people doing the dumping. And with your help, Chief, and a better bill as is suggested here, I think we can achieve that.

(End of remarks)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 2722

A Resolution entitled, "Resolution vacating Clark Way from Roberts Street to Miller Street, Clark Street from Miller Street to Crawford Street, Tannehill Street from Centre Avenue to Webster Avenue, Protectory Place from Centre Avenue to Webster Avenue, Molo Street from Centre Avenue towards Wylie Avenue, Hoffer's Way from Protectory Place to Molo Street, Unnamed Way from Crawford Street to Tannehill Street, Unnamed Way from Tannehill Street to Protectory Place, Hoffer's Way from Arthur Street to Roberts Street, Peru Way from Arthur Street to Roberts Street, Keating Way from Arthur Street to Roberts Street, and Peach Way from Webster Avenue to Gilmore Street in the 3rd Ward, 6th Voting District of the City of Pittsburgh. All utilities in these streets will be abandoned and no easements need to be retained. New utilities will be installed in a new dedicated right-of-way to serve the site."

Which was read.

Also,

Bill No. 2723

A Resolution entitled, "Resolution granting unto Golden Palace Chinese Restaurant, 206 Shiloh Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an awning over a portion of the sidewalk of Shiloh Street in the 19th Ward, 2nd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2724

A Resolution entitled, "Resolution granting unto Saint Michael and All Angels Lutheran Church, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk of 1618 Rhine Street in the 24th Ward, 1st District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2817

Report of the Committee on Planning, Housing and Development for June 19, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2726

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for a cooperation agreement and a consultant or consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, technical assistance and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Project."

Which was read.

Also,

Bill No. 2727

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled "Resolution adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program", by transferring funds from CP-552, Identification Signs for Various Locations, to the Department of Public Works, and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 2728

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land

by and between the Urban Redevelopment Authority of Pittsburgh and James Johnson, Jr. for the sale of Block and Lot 125-G-305 in the 12th Ward of the City of Pittsburgh (COMMERCIAL REHAB)."

Which was read.

Also,

Bill No. 2729

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire that property in the 12th Ward of the City of Pittsburgh owned by John H. Detrick and Eufer Mary Bradford A/K/A Mary Bradford Eufer, and designated as Block and Lot 125-G-305 in the Deed Registry Office of Allegheny County, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 2730

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Lee B. Williams, Jr. for the sale of Block 10N Lot 330 in the Fifth Ward of the City of Pittsburgh (COMMERCIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 2731

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title

and interest, if any, in and to the publicly owned property in the Fifth Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 10N Lot 330, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 2732

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Most Reverend Donald W. Wuerl, Bishop of the Roman Catholic Diocese of Pittsburgh, Successor Trustee for the Roman Catholic Congregation of St. Benedict the Moor Church for the sale of Parcel 19 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31 (PARKING LOT)."

Which was read.

Also,

Bill No. 2733

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Third Ward of the City of Pittsburgh owned by Most Reverend Donald W. Wuerl, Bishop of the Roman Catholic Diocese of Pittsburgh, Successor Trustee for the Roman Catholic Congregation of St. Benedict the Moor Church, and designated as Block 2D Part of Lot 181 in the Deed Registry Office of Allegheny County, in Redevelopment Area No. 31."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 2734

A Resolution entitled, "Resolution approving execution of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Regional Reserach, Inc. for the sale of Block and Lots 11-L-23 and 11-M-107 in the 4th Ward of the City of Pittsburgh (PARKING)."

Which was read.

Also,

Bill No. 2735

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the

City's right, title and interest, if any, in and to the publicly-owned properties in the City of Pittsburgh, under the Industrial Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Mr. Ferlo:

Mr. Chairman, I would ask that these bills be recommitted so the Director can come to the table and explain exactly what is being proposed unless someone could outline the issue here at the table.

Mr. Millions seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Darkins	Mr. Millions
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6

NOES 2

(MR. COYNE AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, Bill Nos. 2734 and 2735 were recommitted.

Also, with an affirmative recommendation,

Bill No. 2736

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Kapp Communications, Inc. for the sale of Block and Lots 6-A-212 and 6-A-213 in the 19th Ward of the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 2737

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 19th Ward of the City of Pittsburgh designated as Block and Lot 6-A-212 in the Deed Registry Office of Allegheny County, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 2738

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 19th Ward of the City of Pittsburgh owned by Maurice W. Bopp, and designated as Block and Lot 6-A-213 in the Deed Registry Office of Allegheny County, under the Industrial Land Reserve Fund."

Which was read.

Mr. Ferlo:

On the three bills, Vacant Property Review, URA Dispositions, 2736, 2737 and 2738, I make a motion to recommit them on the basis that you had asked for some information which I don't think was forwarded to Council.

The Chair:

No, it hasn't been and I would like to have that information prior to voting.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 2739

A Resolution entitled, "Resolution authorizing the submission of an application for financial assistance in the amount of \$318,000 to the United States Department of Housing and Urban Development in connection with the Rental Rehabilitation Program for Fiscal Year 1991, execution of Grant Agreement upon award, and designation of the Urban Redevelopment Authority of Pittsburgh to implement the program."

Which was read.

Also,

Bill No. 2740

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh ("URA") to execute an amended Urban Development Action Grant ("UDAG") Loan Agreement and appropriate related instruments with Lemington Home for the aged

providing for a reduction of the principal indebtedness to \$94,000 payable at 6% interest over a five-year term." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Councilman Milliones wanted to make a comment in regard to the Waste Technologies resolution.

Mr. Milliones:

Yes, as an addendum to the earlier discussion, I think it would be important, Mr. President, that we contact the State Attorney General, and ask him to advise us relative to what

perhaps the State can do legally in regard to this incinerator that's going to affect this region.

The Chair:

Thank you. Excellent idea.

Mr. Coyne:

Mr. President, this morning I introduced a revised version of legislation I previously introduced pertaining to fire suppression systems in high-rise buildings, and I believe this is a good time to discuss certain fire safety issues that have arisen in recent weeks.

I am in receipt, as I'm sure the rest of Council is, of correspondence from Mr. Joseph E. King, President of the Pittsburgh Fire Fighters No. 1. The points raised by Mr. King, I believe, have merit.

Mayor Masloff yesterday announced a plan to decrease workmen's compensation costs, yet her Administration insists on staffing the Bureau of Fire at an unsafe level of manpower which is bound to increase compensation costs.

The Fire Bureau was budgeted a certain amount of positions based on what the Administration believed to be an adequate number of employees, a number that encouraged safety. The Administration's refusal to fill 63 vacancies in the Fire Bureau is not only contrary to the will of this Council but shows a reckless disregard for the safety of the people of Pittsburgh.

I think it is imperative that this Council make its voice heard on this issue as well as Mr. King's concern that the Firefighters be permanently assigned to the Bureau's cascade vehicle.

I would also urge Director Cannon to

convene a meeting of the Fire Bureau Consultant Study Steering Committee as soon as possible so that needed improvements to the administration of fire safety in this City will not be further delayed.

Mr. President, I would ask that a letter be sent to the Mayor from Council on this issue and on the issue of filling budgeted vacancies in the Fire Bureau and addressing the inadequate staffing with respect to the Bureau's cascade vehicle.

I also believe a letter should be sent to Director Cannon urging him to convene a meeting with the Consultant Study Steering Committee as soon as possible.

As for my re-introduction of the sprinkler ordinance, this legislation comes after a very meaningful dialogue on the issue at meetings of the Board of Code Review. The bill, as re-introduced, allows for a greater enforcement in administration of a very needed safety improvement to the existing structures in the City.

In the months ahead, there will be significant debate on this legislation. I think it should be made clear that it is my intention that this legislation be just the first step in the complete fire sprinkler program for existing high-rise buildings in Pittsburgh.

I have plans to meet with staff on both the City's Finance Department and the URA to discuss financing options for building owners who could be adversely affected by this legislation. It seems to me that low-interest loan programs and/or tax abatements could help to soften the economic blow this legislation might cause.

Thank you, Mr. President.

The Chair:

Thank you. Are your first two items in the form of a motion to the Mayor's Office?

Mr. Coyne:

A motion to send a letter to the Mayor's Office.

Mr. Ferlo seconded the motion.

Mr. Ferlo:

Discussion. I support the motion but I do want to point out that we did pass an earlier resolution which I think was unanimously approved by Council.

On the issue of the fire study, as Mr. Coyne pointed out, the need for the Steering Committee to meet. We did ask, however, that prior to the release of a formal study, that there be some community input, including input from Councilmembers on the so-called Steering Committee. I don't believe we have gotten a response yet from the Administration.

The Chair:

No, we have not.

Is there any other discussion on Mr. Coyne's motion? All those in favor? Opposed?

Michelle Madoff:

I abstain. I haven't had any information on it.

The Chair:

His motion was simply to transmit to the Mayor in writing what he has said here today.

WHICH MOTION PREVAILED.

Mr. Cohen:

Mr. President, on another matter. I just wanted to take a moment to remind my colleagues and people who are listening about a public hearing tomorrow at 2:00 on the subject of audible traffic signals for the blind and visually impaired.

This is particularly for the North Oakland Craig Street Corridor. On that corridor from Craig to Forbes to Center are several institutions that need audible traffic signals; the School for the Blind, the Blind Association, Morehead Towers which has a number of blind and visually impaired residents. There are also a number of senior citizens on that corridor.

You may recall that an audible traffic signal was installed there at Fifth and Craig. It works very well and people are very happy with it and I think it increases the safety on that intersection. The problem was that it was over two years ago and there really has not been any significant progress since then.

It's difficult enough, I think, for sighted people to cross those intersections, but when you are blind or visually impaired it becomes a potential hazard every time you try to cross, particularly Craig and Forbes and Craig and Center.

It is a serious safety problem and I have introduced a bill to increase funding for the audible traffic signal line item in the budget.

Tomorrow there is going to be a public hearing on that and a bus load of people from the Blind Association and Morehead Towers will be here. I'd like to invite my colleagues, please, to join us and anybody who is listening.

The Administration has to move faster, Mr. President, on this issue. As I said, there are accidents that are waiting to happen there all the time. The last couple of meetings I had at the Blind Association I heard story after story about people who came close to being hit by cars and other vehicles on those intersections, and I think this is a necessary public hearing to light a fire under the Administration to get them moving on this.

Michelle Madoff:

While I would deny no one the right to have a public hearing, it seems to me that this is something this Council supports you on. I can't imagine anyone who doesn't. It's a necessity. You asked to find out when they were going to do the next ones. I think we ought to just get on and vote for it. I don't think we need to have a public hearing, to have people again tell us their horror stories. We know them. Why don't we just introduce legislation saying, let's do it, and I'll vote for it and I'm sure that my colleagues will vote for it. We'll find the money in the budget.

Mr. Cohen:

If I may respond. That would only solve half the problem. There are two aspects of this. We have often voted things into the budget and they have never been implemented. What we need to do is convince the Administration that this has a high priority and that it should be implemented immediately.

And secondly, I think there are a lot of people who don't realize the extent of the problem, that it really is serious, and we have a solution. These audible traffic signals are the state of the art and they work very well. I think that we need people to understand that and this public hearing will let them do that.

Michelle Madoff:

My understanding is that we have one in place; is that not correct?

Mr. Cohen:

We have one at —

Michelle Madoff:

And it's working. The Administration said they did it as a pilot, and they say it's working. Of course, everyone is concerned about the money. The money will come from us putting it in the budget. And, as you say, we can't force the Administration to do it. But at that point you bring in busloads of people who are having a problem and they sit outside the Mayor's Office and we make it happen.

The point is, let's get on with getting it in place instead of delaying it with lots of hearings.

Mr. Cohen:

If I may briefly respond. I have worked on this issue really for the last six months or so and have met several times with everybody that would potentially be involved in it, the Director of the Department of Engineering and Construction, the people in Engineering and Construction who are responsible for this, and frankly, I have not gotten a cooperative response. I'm only taking this step after those steps didn't work.

Michelle Madoff:

I'll be at the hearing.

The Chair:

I would ask that the appropriate people, Mr. Perry, from the Administration and Traffic

and Engineering and Public Safety, be invited to the hearing.

Michelle Madoff:

On a different issue. We all know that there is a problem with the new Down By The Riverside and 15th Street and the parking on 15th Street that my colleague, Mr. Ferlo, got involved in.

I would like to ask that that bill be waived Rule 8 and that we bring that up tomorrow and get started on it.

But more important, I have a copy of the legislation but the bill does not have attached to it, which makes it virtually worthless, the new plan that has been amended. There is a new plan and I'd like to have it in the next ten minutes. Would somebody please get in touch with Mr. Rahaim and Mr. Sam Tiglio? I would like a copy of that plan because it's been amended.

The Chair:

Your motion is to suspend Rule 8 on the bill that was introduced pertaining to 15th Street?

Michelle Madoff:

Yes, and please give us a copy so we can look at the plan.

Mr. Darkins seconded the motion.

Mr. Ricciardi:

Just for the information of all my colleagues, and I'm sure everyone has made the call into Public Works, but those maps are available and we should be in receipt of them sometime today. Obviously Michelle wants them in the next ten minutes but I'm sure we'll have them within the next hour.

WHICH MOTION PREVAILED.

Mr. Ferlo:

On an unrelated matter. I would only ask that we had the plot plan which Mr. Tiglio said he would have here tomorrow. I'd like to resolve this issue but, since I do have the floor and independent of the actual amendment to waive Rule 8 which I support because I would like to move this along, I'd like to just clarify a few issues.

I don't mind moving expeditiously on the issue of the Wholey Company as it relates to 15th Street. I would only ask that Councilmembers, if they have the time, go out and personally look at the problem first-hand which, obviously, I did.

First of all, the company-sponsored letter that Councilmembers are receiving is complete propaganda and I'd like to just call to task the company for sending this letter because it's just not true.

Mr. Coyne:

Point of Order. Mr. Chairman, won't this issue be discussed tomorrow?

The Chair:

Yes. And I would prefer that we discuss it tomorrow and tomorrow only. Unless we need some additional information to request for tomorrow, let's hold the issue until tomorrow.

Mr. Ferlo:

I have no problem discussing this tomorrow but I just want to make sure that we understand and we have the proposed plot plan.

The Chair:

I would just hope that every Councilmember gets all available information on the issue because it has become a very controversial issue real fast.

Michelle Madoff:

Could we have the Administration representatives here, and Traffic, because it's going to involve some change of traffic flow. I just spoke to the Administration and there will be some changes in traffic patterns. Could we please have someone here to address it so this doesn't go on for another year? I want to go on vacation.

The Chair:

Good idea.

Mr. Ferlo moved to approve the Minutes of Tuesday, June 18, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Coyne moved to excuse Mr. Regan for absence from the meeting.

Mr. Milliones seconded the motion.

Which motion prevailed.

The Chair:

Mr. Regan is out of the country on City business.

And on the motion of **Mr. Milliones**

Council adjourned.

MUNICIPAL RECORD

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No. 27

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, July 2, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 2871 WHEREAS, Central Baptist Church was organized in the year 1891 by Reverend John H. Pryor and was incorporated as a soul-saving station in 1892; and

WHEREAS, Central Baptist Church charter was executed by Trustees Morton Charter, Carbon Thornton, George L. Brown, A.G. Loving and Lanzie Philips; and

WHEREAS, Central Baptist Church has been regarded throughout the years as a place of excellence and a sanctuary for interpersonal uplift and spiritual development; and

WHEREAS, Central Baptist Church has interacted with the City of Pittsburgh to improve the quality of life for its members and their communities; and

WHEREAS, Central Baptist Church is celebrating its 100th Anniversary highlighting years of service to Christ, benevolence to their fellow man, investment in young people and lifting up the name of Jesus; and

WHEREAS, the Central Baptist Church membership is comprised of individuals from all walks of life who are determined to make heaven their home.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Central Baptist Church for its 100 years of dedicated service to the people of the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby honors the esteemed Dr. Isaac Green for his outstanding leadership under the anointing of the Spirit of Christ.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo presents

No. 2872 WHEREAS, Joseph McCord, a resident of Garfield, having been in the United States Marine Corps. for more than 16 years and who spent the last 2 years in Grenade while serving in the Marine Corps. as a Gunnery Sergeant; and

WHEREAS, Joseph McCord after spending those 2 years in Grenade, Gunnery Sergeant McCord then took a two week vacation, and left right away to join his fellow military groups in the Persian Gulf; and

WHEREAS, Gunnery Sergeant McCord was the Commander of the Tank Division while stationed in the Gulf; and

WHEREAS, Gunnery Sergeant McCord, served 6 months in the Persian Gulf and has since returned safely to his family and friends; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, hereby declares Saturday, June 29, 1991 as Gunnery Sergeant Joseph McCord Day in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricclardi presents

No. 2873 WHEREAS, the Friends of the South Side Library is a volunteer group whose purpose is to serve the community at large; and

WHEREAS, the Friends of the South Side Library's goal is to promote and encourage use of the library, information, resources and programs; and

WHEREAS, the South Side Summer Street Spectacular, the annual community summer festival, allows the Friends of the South Side Library and the other community organizations to earn a substantial portion of their operating budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the Friends of the South Side Library a civic organization within the context of the Pennsylvania Small Games of Chance legislation.

Also,

No. 2874 WHEREAS, the South Side Local Development Company (SSLDC) is a community based non-profit organization whose purpose is to promote the economic revitalization and historic preservation of Pittsburgh's South Side; and

WHEREAS, the SSLDC independently initiates and facilitates responsible and quality business, residential, recreational and industrial development in all areas of the community; and

WHEREAS, whenever possible, the SSLDC provides direction, transference of skills and technical assistance to other appropriate community groups and individuals willing to support the mission; and

WHEREAS, the South Side Summer Street Spectacular, the annual community summer festival, allows the SSLDC and the other community organizations to earn a substantial portion of their operating budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the South Side Local Development Company a civic organization within the context of the Pennsylvania Small Games of Chance legislation.

Also,

No. 2875 WHEREAS, the South Side Community Council is a non-profit organization working to improve the quality of life in the South Side neighborhood of the City of Pittsburgh; and

WHEREAS, the South Side Community Council sponsors various projects for the community including an Anti-Drug Education Program, a Halloween parade, and a Christmas carnival as well as other programs for the benefit of the residents of South Side; and

WHEREAS, the South Side Summer Street Spectacular, the annual community summer festival, allows the South Side Community Council and the other community organizations to earn a substantial portion of their operating budget.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the South Side Community Council a civic organization within

the context of the Pennsylvania Small Games of Chance legislation.

Also,

No. 2876 WHEREAS, the South Side Antiques, Arts and Crafts Association is a community-based non-profit organization whose purpose is the construction, maintenance, and rehabilitation of parks, parklets, public buildings, landmarks, monuments and public works owned or leased to this organization or other charitable and tax-exempt organizations; and

WHEREAS, the South Side Antiques, Arts and Crafts Association promotes tours and tourism, the return of artists and crafts persons as well as general community rehabilitation, maintenance and pride in the area known as the South Side of the City of Pittsburgh; and

WHEREAS, the South Side Summer Street Spectacular, the annual community summer festival, allows the South Side Antiques, Arts and Crafts Association and the other community organizations to earn a substantial portion of their operating budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the South Side Antiques, Arts and Crafts Association a civic organization within the context of the Pennsylvania Small Games of Chance legislation.

Mr. Ricciardi moved to the adopt the resolutions.

Mr. Regan seconded the motion.

Which motion prevailed.

PRESENTATIONS

Mr. Cohen presented

No. 2826 Resolution transferring \$2,000.00 from Code Account 1490, Equipment, to Code Account 1488, Repairs, both accounts in the Department of Engineering and Construction. This resolution will provide sufficient funds for the repair of various equipment at the Materials Testing Lab.

Also,

No. 2827 Resolution providing for the issuance of a warrant in favor of So-Deep, Inc., a sub-surface utility engineering company, in the amount of \$4,706.35 for locating existing underground utilities in connection with the Grant/Liberty Reconstruction, Phase 3 and 5, payable from the Grant Street Trust Fund.

Which were read and referred to the Committee on Finance.

Also,

No. 2828 Resolution to provide a certification required by the Pennsylvania Department of Community Affairs in order to close out the Bloomfield Recreation Facility Project. The City received a grant of \$50,000.00 from the Pennsylvania Department of Community Affairs for the Bloomfield Recreation Facility Project (the "Project"). In order to receive the final payment of the grant, the Dept. of Community Affairs requires that City Council pass a resolution certifying that certain requirements applicable to the construction and use of the Project have been or will be met.

Also,

No. 2829 Resolution to provide a certification required by the Pennsylvania

Department of Community Affairs in order to close out the Tropical Forest Exhibitory, Phase 4.03 Project. The City received a grant of \$200,000.00 from the Pennsylvania Department of Community Affairs for the Tropical Forest Exhibitory, Phase 4.03 Project (the "Project"). In order to receive the final payment of the grant, the Dept. of Community Affairs requires that City Council pass a resolution certifying that certain requirements applicable to the construction and use of the Project have been or will be met.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Ferlo presented

No. 2830 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning; by revising the Text of the Riverfront Overlay District creating preservation, conservation and development sub-districts; by revising the boundaries of the riverfront zoning district map to include: the preservation, conservation and development sub-district boundaries; by specifying parking provisions for marina and boat launch facilities and by providing Conditional Use Exceptions and Administrator Exceptions for development in the Riverfront sub-districts.

Also,

No. 2831 Resolution approving a Conditional Use Exception under Section 993.01(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Department of Engineering & Construction, City of Pittsburgh, for authorization to construct a one-story Emergency Medical Services Facility building with an eight stall accessory parking area located at 430 MATHEWS STREET, on property zoned "R2" Two-Family Residence District, 30th Ward, Council District #3.

Also,

No. 2832 Resolution authorizing the filing of an application for financial assistance in an amount not to exceed \$310,000.00 for the renovation of Market Square by the City of Pittsburgh with the Department of Community Affairs, Commonwealth of Pennsylvania.

Also,

No. 2833 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and various Redevelopers for the sale of properties in the City of Pittsburgh (PARKING).

Also,

No. 2834 Resolution authorizing the URA of Pgh. to condemn and acquire properties, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh (PARKING).

Also,

No. 2835 Resolution authorizing the URA of Pgh. to condemn and acquire properties, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh (SIDEYARD/REARYARD).

Also,

No. 2836 Resolution authorizing the URA of Pgh. to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned properties in the City of Pgh., under the Residential Land Reserve Fund, said properties having been certified as blighted by

the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh (SIDEYARD/REARYARD).

Also,

No. 2837 Resolution approving execution of Disposition of Land by and between the URA of Pgh. and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS/REARYARDS).

Also,

No. 2838 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program. (Council District: All)

Also,

No. 2839 Resolution providing for the 1991 Neighborhood Housing Program Cooperation Agreement with the URA of Pgh. providing for the designation of \$1,000,000.00 of Pittsburgh Home Ownership Program funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All).

Also,

No. 2840 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the Rental Housing Development and Improvement Program (Council District: All).

Also,

No. 2841 Resolution providing for the 1991 Rental Housing Development and Improvement Program Cooperation Agreement with the URA of Pgh. providing for the designation of \$1,000,000.00 of Community Development Block Grant Program funds, Rental Rehabilitation Program funds and Developer Private Investment funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All).

Also,

No. 2842 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$1,000,000.00 to the Pennsylvania Department of Community Affairs for the Housing Recovery Program (Council District: All).

Also,

No. 2843 Resolution providing for the 1991 Housing Recovery Program Cooperation Agreement with the URA of Pgh. providing for the designation of \$1,000,000.00 of Housing Revenue Bond funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All)

Also,

No. 2844 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$350,000.00 to the Pennsylvania Department of Community Affairs for the Housing Site Acquisition and Development Fund Program (Council District: All).

Also,

No. 2845 Resolution providing for the 1991 Housing Site Acquisition and Development Fund Program Cooperation Agreement with the URA of Pgh. providing for the designation of \$350,000.00 of Community Development Block Grant Program funds and Housing Revenue Bond funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All).

Also,

No. 2846 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$600,000.00 to the Pennsylvania Department of Community Affairs for the Penn-Liberty Streetscape Improvements Program (Council District: All).

Also,

No. 2847 Resolution providing for the 1991 Penn-Liberty Streetscape Improvements Program Cooperation Agreement with the URA of Pgh. providing for the designation of \$600,000.00 of City Bond funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All).

Also,

No. 2848 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$200,000.00 to the Pennsylvania Department of Community Affairs for the Streetface Program (Council District: All).

Also,

No. 2849 Resolution providing for the 1991 Streetface Program Cooperation Agreement with the URA of Pgh. providing for the designation of \$200,000.00 of Program Participant Private Investment funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All).

Also,

No. 2850 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$375,000.00 to the Pennsylvania Department of Community Affairs for the Community Development Investment Fund Program (Council District: All).

Also,

No. 2851 Resolution providing for the 1991 Community Development Investment Fund Program Cooperation Agreement with the URA of Pgh. providing for the designation of \$375,000.00 of Urban Development Action Grant Repayment funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All).

Also,

No. 2852 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$250,000.00 to the Pennsylvania Department of Community Affairs for the Hill District Facade Improvement Project (Council District: All).

Also,

No. 2853 Resolution providing for the 1991 Hill District Facade Improvement Program Cooperation Agreement with the URA of Pgh. providing for the designation of \$250,000.00 of Urban Development Action Grant Repayment funds and Community Development Block Grant Program funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All).

Also,

No. 2854 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$106,000.00 to the Pennsylvania Department of Community Affairs for the Minority Neighborhood Business Development Fund Program (Council District: All).

Also,

No. 2855 Resolution providing for the 1991 Minority Neighborhood Business Development Fund Program Cooperation Agreement with the URA of Pgh. providing for designation of \$106,000.00 of Community Development Block Grant Program funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All).

Also,

No. 2856 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$250,000.00 to the Pennsylvania Department of Community Affairs for the proposed Federal North Redevelopment Project (Council District: All).

Also,

No. 2857 Resolution providing for the 1991 Federal North Redevelopment Project Cooperation Agreement with the URA of Pgh. providing for the designation of \$250,000.00 of local bond and/or Community Development Block Grant Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All).

Also,

No. 2858 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$140,000.00 to the Pennsylvania Department of Community Affairs for the Greater Pittsburgh Coliseum Project (Council District: All).

Also,

No. 2859 Resolution providing for the 1991 Greater Pittsburgh Coliseum Project Cooperation Agreement with the URA of Pittsburgh providing for the designation of \$140,000.00 of funds generated from the operation of the Greater Pittsburgh Coliseum as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs (Council District: All).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 2860 An Ordinance amending and supplementing Ordinance No. 17, approved May 20, 1991, entitled "An Ordinance amending and supplementing the Pittsburgh Code, Title VI -

Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order, to add provisions for prohibitions on excess noise" by adding a new Subsection 601.04(b), and by renumbering Subsections 601.04(b) - 601.04(f).
---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Safety.

Mr. Milliones presented

No. 2861 Resolution providing for an Agreement or Agreements with various agencies for job development and employment services in connection with the Neighborhood Employment Program at a cost not to exceed \$200,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, Dept. of Personnel and Civil Service Commission CDPCS, Code Account 4-85-01-0001-91-411-91-85.

Also,

No. 2862 Resolution providing for an Agreement or Agreements with various agencies for job development and employment services and/or on-the-job training in connection with the Pittsburgh Partnership Employment Program at a cost not to exceed \$100,000.00, chargeable to and payable from the 1991 Community Development Grant Program, Dept. of Personnel and Civil Service Commission CDPCS, Code Account 4-85-01-0003-91-373-91-85.

Also,

No. 2863 Resolution providing for authorization to make all legitimate administrative expenditures necessary to implement the Pittsburgh Partnership Employment Program; providing for the periodic transfer of funds to reimburse for program

administrative costs incurred, and providing for the periodic transfer of funds to be used for wages and fringe benefits for participants of the Pittsburgh Partnership Employment Program at an aggregate cost not to exceed \$200,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, Dept. of Personnel and Civil Service Commission CDPCS, Code Account 4-85-01-0003-91-373-91-85, Index Code 604116.

Which were severally read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2864 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2865 Communication from Thomas Flaherty, City Controller, submitting the Performance Audit of the Equipment Leasing Authority for years 1988 through 1990.

Also,

No. 2866 Petition from the residents of

the City of Pittsburgh, requesting a public hearing to discuss the posting of signage stating, "No Cruising Zone - Midnight - 5 A.M.," as a solution to the public nuisance of late night cruising in the South Craig neighborhood. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were read, received and filed.

UNFINISHED BUSINESS

No. 2798 Resolution appointing Patricia Elmes Farley, 2020 Smallman Street, Pittsburgh, Pennsylvania 15222, as a member of the Art Commission to serve for the term of the Mayor. Ms. Farley is replacing Harold Corsini.

Which was read.

Mr. Regan:

Nothing personal but I abstain.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

(MR. REGAN ABSTAINED)

And a majority of the votes of Council being in the affirmative, the appointment passed finally.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2867

Report of the Committee on Finance for June 26, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2773

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Arthur I. Young, 3134 Terrace Street, Pittsburgh, PA 15213, in the amount of \$3,000.00 in payment for professional services rendered to Councilman Jake Milliones." ---**(SPONSORED BY MR. MILLIONES)**

Which was read.

Also,

Bill No. 2774

A Resolution entitled, "Resolution providing for the issuance of a \$4,546.63 warrant in favor of St. John's Health and Hospital Center, Inc."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2775

A Resolution entitled, "Resolution transferring \$31,500.00 from Code Account No. 1063, Index Code No. 106302, Miscellaneous Services, Department of Finance to Code Account No. 1066, Index Code No. 106609, Equipment, Department of Finance."

Which was read.

Also,

Bill No. 2776

A Resolution entitled, "Resolution providing for a contract or contracts or use of existing contracts for the furnishing, delivery and installation of a mobile file unit storage system in connection with the remodeling of the Second Floor Offices in the Department of Finance, and the filing and storage

requirements for the Employer Withholding Wage & Occupation Tax and Registered Business Tax Accounts, Pgh.40 Tax Returns, W-2 Forms and Occupation Tax Deduction Statements, and Audit Files, Department of Finance; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2777

A Resolution entitled, "Resolution amending Resolution No. 78, Item E, effective 2-28-91, which authorized the sale of a two story, double, frame-shingle house on a lot 58' x 90', known as 7-9 Cologne Street, 16th Ward, designated as Block 13 H, Lot 93, together with a vacant lot 40' x 62' known as 2738 Cobden Street, 13-H-94, to Dennis C. Schlegel, for the sum of \$5,000.00."

Which was read.

Also,

Bill No. 2778

A Resolution entitled, "Resolution Repealing Resolution No. 571, Item B, effective June 5, 1991 which repealed Resolution No. 959, Item B, effective December 4, 1989, which authorized the sale of property in the 5th Ward, being a vacant lot 19.37' x 31.41', located at 649 Kirkpatrick Street, designated as Block 10 K, Lot 173A, to Earmon Beck, Jr. and Henrietta M. Beck, his wife, for the sum of \$350.00."

Which was read.

Also,

Bill No. 2779

A Resolution entitled, "Resolution Repealing Resolution No. 382, Item I, effective May 5, 1989 which authorized the sale of property in the 13th Ward, being 1/2 - 2 story, brick dwelling on a 24.69' x 46.66' lot, located at 508 Rosedale Street, designated as Block 175 G, Lot 63, to Grice, Inc., for the sum of \$1,000.00."

Which was read.

Also,

Bill No. 2780

A Resolution entitled, "Resolution authorizing the transfer of eight thousand dollars (\$8,000) from Code Account 1476, Index Code 147603, Miscellaneous Services, Department of Public Safety, Bureau of Building Inspection to Code Account 1478, Index Code 147801, Equipment, Department of Public Safety, Bureau of Building Inspection."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2868

Report of the Committee on Public Works for June 26, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2759

A Resolution entitled, "Resolution granting unto Anthony J. Mazzarini, 478 Marlin Drive, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a planter area on a portion of the right-of-way of Saw Mill Run Boulevard in the 19th Ward, 2nd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2760

A Resolution entitled, "Resolution granting unto Areena Pitts, 5 Watt Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a driveway on a portion of the right-of-way of Watt Street in the 5th Ward, 6th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2761

A Resolution entitled, "Resolution granting unto Pittsburgh National Bank, Mount Washington Branch, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk of Virginia Avenue in the 19th Ward, 2nd District of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff moved to recommit Bill No. 2761.

Mr. Ferlo seconded the motion.

Michelle Madoff:

We have some photos of the sidewalk and there's some real problems with it. I don't know who put in, or whether Pittsburgh National Bank put it in, or whether the City put it in. The grading is a problem. The wheelchairs can't get by, etcetera, etcetera.

WHICH MOTION PREVAILED.

Also,

Bill No. 2763

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to correct and rename the 4700 block of Kincaid Street to Kincaid Park as it has been so designated for many years. --- (SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 2803

**(REMARKS INSERTED ON FOLLOWING
PAGES)**

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Dormitory-University of Pittsburgh."

Which was read.

Also,

Bill No. 2804

A Resolution entitled, "Resolution granting unto Robert Wholey & Co., Inc., 1133 Penn Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, one (1) dock on 15th Street and two (2) docks on Smallman Street on a portion of the right-of-way of 15th Street and Smallman Street in the 2nd Ward, 6th District of the City of Pittsburgh."

Which was read.

Mr. Cohen:

Mr. President, I'd like my comments brought forward on Bill 2804, please.

Mr. Ferlo:

I'd like my comments brought forward on Bill 2804.

Mr. Ricciardi:

Mr. President, my comments can be brought forward on the same bill, thank you.

The Chair:

I'd like my comments brought forward also on Bill 2804.

(BEGINNING - MESSRS. COHEN, FERLO, RICCIARDI AND WAGNER'S
COMMENTS ON BILL NO. 2804, WEDNESDAY, JUNE 26, 1991)

Mr. Ricciardi:

Discussion. Mr. Tiglio, before we start on the encroachment I think there's a few givens that I would like to put out on the table. Number One, Wholey's operation is an asset to the City of Pittsburgh and to the region. In 1990, from the research that I have done, Wholey's has contributed in excess of \$166,000.00 in taxes to our treasury and also it's of vital importance that the refrigeration and cooling system including the freezers for a 200-mile radius.

The City of Pittsburgh is very interested and this body is very interested in protecting the Strip, not just from new development but also from the influx of additional traffic and pedestrians. With that in mind, Mr. Ferlo and myself and I'm sure many other colleagues have an opportunity to discuss with you -- could you just tell us please from the Public Works' standpoint on the amount of encroachment that you're recommending to this body?

Mr. Tiglio:

First of all Councilman, I'd like to say that we all share the same interests.

The encroachment that we are being requested for is 26-1/2 feet and the encroachments goes from the existing dock out to 26 feet from there to the roadway. This in turn will leave us a 30 foot right-of-way over to the existing curb on the other side of the street. And what they're requesting here is just the 26-1/2 foot encroachment.

Mr. Ricciardi:

So this would maintain a two-lane --

The Chair:

-- excuse me, there are a number of proposals. Could you identify it?

Mr. Tiglio:

They will hold all the same dimensions.

The Chair:

Which specific proposal are we discussing?

Mr. Ricciardi:

May I clarify that?

In effect what Mr. Tiglio has done here and I commend him for it. He was looking at different ways on the encroachment and how it could work but that should not be an issue at this table. The issue at this table is how many feet do we do for the encroachment and then it would be up to the Wholey establishment to see if they want to parallel their trucks or diagonal their trucks or how they want to use the encroachment. So that in effect really is not at issue today and I think that's what Mr. Tiglio is pointing out. Also, what Public Works has done with the Planning Department, they've showed us different ways that we can route the traffic. But again what I'm saying is that we're not voting here on traffic patterns. That's something that the Planning Department will have to investigate and make recommendations to this body and really not even make recommendations to this body. Or we're not voting on how to tell Wholey's to operate within that encroachment; that is up to them. What I'm interested in and what Mr. Tiglio has delineated for us is the amount of encroachment that we will be giving them also Mr. Ferlo has come up with some excellent ideas concerning the proper curbway and where we're going to have the curb cuts. So in effect and if I may just take a moment Mr. Chairman. There's other issues here that we could explore and Mr. Tiglio has helped me with all of these. We really can't talk about having the docks recessed because this building is built as a fortress and the top of the cabs are higher than the top of the ceiling of the first floor of the building so it would be cost prohibitive to have recessed dockings. So that's something we shouldn't even really discuss.

The Chair:

But you are discussing it.

Mr. Ricciardi:

I am because in case it becomes an issue I'd like to get to the heart of it.

The Chair:

Your specific question is how much of encroachment.

Mr. Ricciardi:

Right and I think Mr. Tiglio has pointed out that the City of Pittsburgh will maintain a 30 foot right-of-way which will give us two lanes of traffic and what we'll be giving Wholey's is the encroachment of 26-1/2 feet and then Mr. Ferlo will address the curb issue and I'm in support of this. I think it's

the way to go and it would be protecting a vital asset to the City of Pittsburgh and to the region and more importantly it would be sending a tremendous message to the rest of the properties in the Strip District that they will -- as much as we can be protected from all negative impact and this is something that Councilman Darkins has spoken to me about and I know that I'll be following their lead on this and I'm definitely in support of it.

Mr. Ferlo:

First of all since we all want to make speeches here --

The Chair:

-- I really want the discussion limited to Bill No. 2804.

Mr. Ferlo:

I'm going to do that. I think it's important to state that there are three issues here. The first issue is public safety to vehicular and pedestrian traffic which obviously is a problem up to now. The second issue is to assist Wholey's in making sure that they maintain a viable business with room for growth and the third issue and not at the expense of the Wholey company, is to allow for other development of a planned nature in and around this area. I think all three things can be accommodated.

I would prefer Mr. Tiglio that we talk about alternative Number Five since we're pointing to maps because the one map that you just pointed to does in fact suggest the one-way traffic flow which I would like to speak about.

Mr. Tiglio:

If I might interrupt you. We feel in the department that any one of these five proposals will be workable and if we want to get into the --

Mr. Ferlo:

-- but ideally and this is a rarity. Ideally things come to us for approval and it's not often that we plan out and decide things such as traffic patterns and curb cuts and all this thing, so I won't get into just how this whole issue came to the table and the manner in which it's coming here which is very haphazard and disorganized.

Looking at alternative Number Five on the map my concern is the following:

I applaud the effort to dedicate 26-1/2 feet. Ideally I would prefer to see parallel docking and a designated lane and

apparently that's not practical or too costly to be practical. So the alternative as suggested on Five is fine with me. My only concerns are that whatever designated encroachment we allow for this company that they stay on their side of the street and that they not continue to disrupt the right of traffic to flow both ways on 15th Street. Now on Alternative Number Five my concern as you have suggested here is that there actually be a curb line installed at the end of or as part of the 26-1/2 feet encroachment so that there's a clear demarcation. Is that right?

Mr. Tiglio:

That's correct.

Mr. Ferlo:

Secondly, the reason why I'm confused is that City Planning had sent over one map which I hope is not the map we're approving in the resolution. We're talking specifically about the activities of Public Works as it relates to your approval of all this activity. So let's get rid of Director Downing's letter and all that.

On the handicapped sidewalk ramp, in the one map it suggested to have the ramp be at the same side of where all the docking activity would be and I have no problem with the sidewalk having a curb cut there as provided for as a result of new federal laws but it would make more sense to also put a curb cut across the street and restore the integrity of a sidewalk along what as we all know is the Buncher property crossing Mulberry Way and that whatever property line is adjacent to the bar. So what I'm suggesting in this is that we resolve this not only for vehicular traffic but also pedestrian traffic. Conceivably in the future a PAT bus would want to stop along Penn Avenue at whatever future development takes place as a result of riverside and expanded activity. So I would ask also that consideration be given to a handicapped ramp on the opposite corner along Penn Avenue and that we work to restore the integrity of a sidewalk and the curb along the Buncher property, curb cuts at Mulberry Way for handicapped and restoring the integrity of a sidewalk along the bar which I can't remember the name of the bar -- Don's Bar.

The other argument is that until we know the volumes of traffic in and around this area including whatever future development, I would urge the department to maintain the two-way street always with the option in the future to making it one way and making 14th Street one way subsequently. So I'd say rather than rush the judgment on that, let's maintain the two way until such time that we can actually assess traffic flows.

The Planning Department has already determined that 15th and Smallman is a failed intersection. In fact, if you remember

we were requiring the developer there to install a light at 15th and Smallman. So if we are actually looking at Alternative Number Five, if there's actually going to be a curb installed with the proper curb cuts with the 50-foot as well as the other cars and 30-foot or 20-foot vans --

Mr. Tiglio:

-- that is the original intent.

Mr. Ferlo:

The only other problem I have is the loading docks that you would be allowing on Smallman, one in the original map there were three trailers one of which would be contraflow to the traffic on Smallman. As you know, the traffic on Smallman and Penn is very fast.

Mr. Tiglio:

If our conversation with Jim Wholey in looking at this dock situation on Smallman Street, we are all aware of the contraflow pattern. Jim Wholey conceded that they would not use the contraflow pattern only throughout the course of the evening between 12 Midnight and 5 AM. All the other patterns there will be with the flow of the traffic.

Mr. Ferlo:

Would that issue as well as the other issue of having a security officer be stipulated in the easement approval from the Director?

Mr. Tiglio:

I don't know that we would get into security, we would recommend that.

Mr. Ferlo:

Let's deal with good faith because there is no good faith. Anything that we agree to I want to see in writing, including the commitment from Wholey's to have someone out there with directing traffic.

I have some other questions but I will defer to my colleagues.

Mr. Cohen:

Director, I want to commend you for taking a lot of time over the last few days to try to work out a compromise here and I think you've worked one out that is satisfactory to the

parties. It seems to me that there are two goals that you are working towards. One was to allow for Wholey's to continue its very successful operations and to allow its trucks to be able to pull up there on 15th Street. I think we all agree that Wholey's is an institution in this town and employs 260 people, that is an important goal.

The other one is to allow for the flow of traffic on 15th Street, particularly to the "Down By The Riverside Project". Do you feel satisfied that both of those goals have been accomplished in this proposal?

Mr. Tiglio:

Yes, I do.

Mr. Cohen:

Then I think that this is a good compromise. I want to commend you for putting this compromise together and I think it's one that all of the parties can live with.

Mr. Tiglio:

Thank you.

The Chair:

Questions of Mr. Tiglio.

Mr. Wagner:

Gentlemen, I still would like to know which of the five proposals is being proposed?

Mr. Tiglio:

Number Five.

Mr. Wagner:

If Council votes on this today the proposal that will be adopted is Number Five.

Mr. Tiglio:

That's right.

Mr. Wagner:

Which means that the trailers will park parallel to the building on 15th Street, two of them at the location closest to Smallman Street with a portable dock in the center projecting

out from the building and on a portion closest to Penn Avenue, the smaller trucks will pull in perpendicular to the building.

Mr. Tiglio:

They normally do that now.

Mr. Wagner:

What prevents under this scenario, a tractor-trailer from backing in closest to Penn Avenue as they do today and almost blocking the entire street?

Mr. Tiglio:

The only thing that I can tell you is that nothing is going to prevent it other than policing it and I think if we have the word of Mr. Wholey or his associates that they will not do this, that's the only thing that we can go by. We will not have anybody there on a daily basis to see that it doesn't happen. They'll have to live by and abide by the plans that we're advising them to.

Mr. Wagner:

Now with this will there be any barrier between the actual farthest line of the encroachment and the street itself?

Mr. Tiglio:

Other than the curb, no.

Mr. Wagner:

So in other words we can't under this encroachment proposal restrict the truck still from being out into the public right-of-way?

Mr. Tiglio:

I'm sure there are some things that we can propose, Councilman. With the permission that I had to go ahead and draw up these plans, we didn't really have time to look into this thing and the whole complexity of this. These questions that you are asking will continue to arise no matter what we do. I can say this that if need be and we have to put poles or something in the area that there is no designated docks, this can be done.

Mr. Wagner:

I would strongly recommend that because I'm in agreement as every Councilmember here is to keeping this company in business but I think if you want to be frank about the situation, anyone

is honest about it you can't pass on 15th Street on a normal day and emergency vehicles can't get by on that street, particularly if you have parking on the other side of the street on 15th Street which I have seen many times also. If you have parking and then you have the tractor trailer backing into the dock, there is no way of getting by on 15th Street.

Mr. Tiglio:

What we will do is write into the agreement that there will be no parking on 15th Street on either side.

Mr. Wagner:

So as is the case today there is parking on 15th Street on the downtown side, there will not be parking on that side of the street in the future.

Mr. Tiglio:

That's right.

Mr. Wagner:

How about the potential of a permanent barrier other than a curb actually being the dividing line between the encroachment and the public right-of-way?

Mr. Tiglio:

Are you alluding to probably a metal barrier?

Mr. Wagner:

Yes.

Mr. Tiglio:

I have no objection that. What I want you to understand is that this plan was devised in a hurry. Engineering and Construction will be given this and they will go down and pinpoint this and get the exact measurements and will submit a final design to the operator of the building to comply with, and City Planning and whoever else is involved.

Mr. Wagner:

That is one of issues here at the table. I think this Council should have specifics in terms of what is proposed here, what barriers are proposed to make sure that Wholey's can operate and the public right-of-way is maintained prior to us voting on this.

Mr. Tiglio:

I agree with you but what was given to us on Friday I think we have done a commendable job.

The Chair:

Could you have that by Tuesday?

Mr. Tiglio:

Next Tuesday, yes, I think so.

Mr. Wagner:

Thank you, Mr. Chairman.

So gentlemen by Tuesday we would have a diagram showing the specifics in terms of whether or not it's a curb or barrier or guardrail, the specifics distances, I know you have it here --

Mr. Tiglio:

-- these are all tape measures.

Mr. Wagner:

-- that parking won't be permitted on the one side of the street. With parking not permitted on the one side of the street, let me ask the question. Are we harming any other businesses such as the tavern on the corner?

Mr. Tiglio:

No. Because we're out in the street now they have a parking area behind it. We will have full use of the street.

Mr. Wagner:

For the purpose of --

Mr. Tiglio:

-- traffic.

Mr. Wagner:

What I'm saying is we're proposing to eliminate parking on one side of the street. Are we harming any other businesses by proposing to do that?

Mr. Tiglio:

The only other business there is a small business down on the corner of Smallman Street. I don't know that any car has ever parked there to begin with. I don't know that any cars could ever get into there to park.

Mr. Wagner:

That business owner has rights also here. What their opinion?

Mr. Tiglio:

I understand that but that business owner hasn't come in and asked for anything.

Mr. Wagner:

All right. Are we in any way -- first off the traffic flow as proposed with one lane in each direction would be the final proposal. It wouldn't be one way it would be as is indicated here.

Mr. Tiglio:

This will be done as a final proposal unless we find that later on it's not feasible that we have to change it to one way.

Mr. Wagner:

The item here that is important and the commitment that's necessary is that this has to be enforced if this is granted by the police because you can't have the tractor-trailers taking up the entire street on the Penn Avenue side and tractor-trailers coming in parallel on the other side and in essence eliminating passage on this street. And I have to be frank, I have tried to pass on this street numerous times and have had to back up onto Penn Avenue because I couldn't pass on it and it's very important that we work out a workable solution here that is enforceable.

Mr. Tiglio:

I think the plan that is submitted here is a little bit different than the pattern that they've used in the past. I think we have to try to see that it works and I'm sure that it will work.

Mr. Wagner:

Another question. Councilman Darkins is right. In many instances in the Strip District even on Smallman Street itself

you will see a tractor-trailer projected out into the street while it's loading or unloading. With this situation of a 26 foot encroachment, are we setting a dangerous precedent for other property owners to come to this government and insist upon being able to get the same type of encroachment anywhere in the Strip District?

Mr. Tiglio:

In my personal opinion I think we might very well be, Jack. However, the Smallman Street area does not have the hindrances that they have on 15th Street. They have 104 or 140 foot right-of-way on Smallman Street as compared to a 70 foot right-of-way on 15th Street which makes quite a bit of difference. We're never going to get away from the parking back into the docks on Smallman Street unless we devise a new plan down there.

I think we're comparing apples and oranges as far as this particular instance is concerned. If we go down through the Strip and you want to create an ordinance that gives everybody the right to do what they want to do, you're going to have a problem because everybody is going to ask for it. But I think under the circumstances and as they are now, by submitting this plan I don't believe that we will run into any more problems.

Mr. Wagner:

I hope not because truly we could be opening the door for everyone to come in and say what they want, whether it's for loading and unloading or for other purposes.

Mr. Tiglio:

It could very well be and I'm not aware of that.

Mr. Wagner:

Whether it's for loading and unloading or for other purposes. Do we know the traffic flow -- Mr. Walsh, would you please come to the table?

Do we know the traffic flow conditions on the street today and the way they will be in the future when the Strip Down by the Riverside Project is open?

Mr. Tiglio:

That's not a fair question, Jack.

Mr. Wagner:

It's a very fair question.

Mr. Tiglio:

It's not a fair question because you very well know that this street has been blocked for many years. So I can't tell you whether the traffic going down that street is going to be adequate or what in the future. I think only time will tell. But I think with all of the meetings that we've had and discussions that we've had in-house with our supervisors that the plan fits very well with all of the modifications that are going to be made the Strip.

We've talked to Engineering and Construction and they said it would fit in.

Mr. Wagner:

Based on a projection by City Planning and hopefully they're communicating with Public Works, under this proposal does it fit in with what their original projections were at this intersection in the Strip?

Mr. Tiglio:

We have not seen any traffic counts.

Mr. Wagner:

I would strongly recommend that Public Works sit down with City Planning between now and the time we vote on this finally and determine if this proposal fits in adequately with their original proposal on traffic expectations in the future in the Strip.

It's very important that if this is granted and believe me, I'm not going to vote for this unless I know every specific about it and I am comfortable that this street is going to be open in the future and open every day 24 hours a day, I'm not going to vote to support this so I need to know the specifics of this proposal along with enforcement from the City to make sure that 15th Street remains open as a public thruway. If it's limited and if Wholey's has part of the street, that's fine, but I want to make sure under whatever proposal this street is passable for emergency vehicles and the public.

Mr. Ferlo:

I just want to go over another point because now I'm a little bit confused.

Earlier I thought you made a clear commitment regarding the curb line along the 26-1/2 feet encroachment and then in response to something that Michelle asked or maybe Dan Cohen, there was a question that they could easily jump the curb. What

I'm talking about is giving them the 26-1/2 feet but having a very clear curb cut and curb line where it's very clear that they cannot jump the curb and continue to do what they're doing. I'm talking about them staying on their property on the encroachment of the 26-1/2 feet, so except for one or two curb cuts to allow the smaller trucks in the front part closer towards Penn and 15th and the large 50-foot trailers another cut further down so that they can park on the dock. We're not talking about just a little curb that everybody is just jumping and doing what they want. I mean, if need be there should be a barrier or a jersey barrier or ornamental fencing or whatever it is, I'm talking about a clear line of demarcation.

Mr. Tiglio:

Yes, I think it's fairly accurate.

Mr. Ferlo:

Now it is true that this encroachment would open up the door to other businesses to request it but that doesn't mean that we have to grant it.

Secondly, regardless of whatever confusion is in the Strip at least there is maneuverability where at some point a driver can get around. What Mr. Wholey has done for many years has created a "Berlin Wall" on 15th Street and there is a substantial difference.

Secondly, this is not in the Strip so let all of the editorialists hear my words there. This is on this side of 15th Street and it has nothing to do with the ambiance of the Strip.

So you're making a commitment here regarding this curb situation.

Mr. Tiglio:

Yes.

Mr. Ferlo:

Now that portable dock is not part of the proposal, right?

Mr. Tiglio:

Right.

Mr. Ferlo:

I'm also concerned about the ramp and restoring the integrity of the sidewalk with no parking opposite this loading area along 15th Street. Am I making myself clear on that?

Mr. Tiglio:

Yes, you are.

Mr. Ferlo:

With the curb that creates a street, not everybody can drive everywhere. It's a specific street where there's a curb line on the left and a curb line on the right allowing two lanes of traffic both ways. And the only other thing is the stacking. We are giving the Wholey Company a substantial part of the street and under the original plan we not only gave them a substantial part of our street, originally it was close to two-thirds of the street. We still enabled them to basically occupy the street. Now under this plan that should not happen but there cannot be stacking. I don't even care if they stack and wait on Mulberry Way until such time they can get out there but they can't block 15th Street.

Mr. Tiglio:

We're under that same assumption.

Mr. Ferlo:

When a police officer shows up they write a ticket and then tell me that they have an arrangement with the Mayor. That's not going to happen in the future.

The Chair:

Mr. Wagner.

Mr. Wagner:

Gentlemen, one last item. I would appreciate if you would provide this Council that information prior to Tuesday and final vote on this. In addition to that {an|a|and} coordinated communication with Planning on the proposed traffic projections in the area and whether or not the street as proposed to be redesigned can accommodate those traffic projections.

Also whether or not a light is necessary at 15th and Smallman Street.

Mr. Tiglio:

It has already been proposed there.

Mr. Wagner:

And whether or not that is going to be installed.

Let me add one final note. In terms of the enforcement and I want to everyone to be clear. Once we get all of this information I think it will be agreeable but if I don't see enforcement in the future I would propose that we eliminate this encroachment because we cannot live with 15th Street the way it is today. It is not passable and if under a new arrangement where 26 feet of the street is given to a private company and they go beyond the 26 feet and continue to block the street, I don't think Council should live with that encroachment.

The Chair:

Let's get a vote on this bill because we have other bills.

Mr. Ferlo:

Very brief question. What is the encroachment timetable? A permanent encroachment or a five-year?

Mr. Serpa:

The encroachment as is written is a permanent one. The Director of Public Works has the authority to cancel that encroachment with a 90-day notice.

Mr. Ferlo:

That's fine.

Mr. Ricciardi:

I agree with Councilman Cohen in that there are two goals here; Wholey's and the City of Pittsburgh with being able to pass on the street. But I want to make it know from what I've worked out very briefly here that I'm seeing with this encroachment that Wholey's will be able to load and unload only five trailers and in the past they've been doing six to eight. So I also see that Wholey's isn't getting everything here but it's really a compromise to help all people concerned. Thank you.

The Chair:

We want to have a roll call on this bill and Mr. Tiglio, I think it's clear to you that there are some amendments that we will need.

Mr. Tiglio:

That's right. We will submit them to you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2869

Report of the Committee on Planning, Housing and Development for June 26, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2762

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Carnegie Mellon University for authorization to construct a 3-story, 60,000 sq. ft. classroom building extension to the existing Graduate School of

Industrial Administration building located at 101 Tech Street, Carnegie-Mellon University Campus, on property zoned 'I-C' Institutional-Civic District, 14th Ward."

Which was read.

Also,

Bill No. 2766

A Resolution entitled, "Resolution amending Resolution No. 464, effective June 24, 1988, entitled 'Amending Resolution No. 1439 of 1981, as amended by Resolution Nos. 402 and 1144 of 1982; by Resolution No. 933 of 1983; by Resolutions Nos. 102 and 285 of 1986; by Resolution No. 1030 of 1987 and by Resolution No. 219 of 1988' entitled 'Approving the submission and budget for the 1981 Community Development Block Grant Program', by changing line items in the Department of Engineering and Construction and adding a line item in the Department of City Planning."

Which was read.

Mr. Ferlo moved to recommit Bill No. 2766 at the request of Councilman Milliones.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 2767

A Resolution entitled, "Resolution amending Resolution No. 1180, effective November 2, 1990 entitled 'Resolution amending Section 10 of Resolution No. 301, effective April 24, 1984, as amended by Resolution No. 728, effective August 21, 1984; and by Resolution No. 284, effective March 30, 1987; and by Resolution No.

548 of 1989 and Resolution No. 136 of 1990', entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Redevelopment for a grant in connection with the 1984 Community Development Block Grant Program' so as to reprogram funds from City Council to the Department of City Planning."

Which was read.

Mr. Ferlo moved to recommit Bill No. 2767 at the request of Councilman Millions.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 2768

A Resolution entitled, "Resolution amending Resolution No. 219, effective March 6, 1987 entitled 'Resolution providing for an agreement or agreements with Bidwell Inc., for administrative/operating assistance, in an amount not to exceed \$60,000.00', so as to reduce the amount appropriated from \$60,000.00 to \$59,958.46."

Which was read.

Also,

Bill No. 2769

A Resolution entitled, "Resolution amending Resolution No. 733, effective July 12, 1982, entitled 'Resolution providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance or other organizations for the continuation of the Anti-Crime Lock Installation Program, and providing for the payment thereof, so as to reduce the amount

appropriated from \$95,000.00 to \$94,864.83."

Which was read.

Also,

Bill No. 2770

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill Community Development Corporation for the provision of services in connection with the Hill District Employment Linkage - Implementation, at a cost not to exceed \$150,000.00."

Which was read.

Mr. Ferlo moved to recommit Bill No. 2770 at the request of Councilman Millions.

Mr. Cohen seconded the motion.

Mr. Coyne:

I'd like to have an explanation, please?

Mr. Ferlo:

I'll refer to Mr. Millions.

Mr. Millions:

I think that there needs to be some more discussion relative to how we're going to use CD funds. There has been virtually no discussion about that issue.

Mr. Ferlo:

This is an additional CD allocation to group for employment linkage program.

WHICH MOTION PREVAILED.

Also,

Bill No. 2771

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a First Amendment to a Neighborhood Housing Fund Grant Agreement with South Side Local Development Company providing for an increase in the grant of \$45,000 for a total grant of \$255,000."

Which was read.

Also,

Bill No. 2734

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Regional Research, Inc. for the sale of Block and Lots 11-L-23 and 11-M-107 in the 4th Ward of the City of Pittsburgh (PARKING)."

Which was read.

Also,

Bill No. 2735

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned properties, in the City of Pittsburgh, under the Industrial Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2736

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Kapp Communications, Inc. for the sale of Block and Lots 6-A-212 and 6-A-213 in the 19th Ward of the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 2737

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 19th Ward of the City of Pittsburgh designated as Block and Lot 6-A-212 in the Deed Registry Office of Allegheny County, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 2738

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 19th Ward of the City of Pittsburgh owned by Maurice W. Bopp, and designated as Block and Lot 6-A-213 in the Deed Registry Office of Allegheny County, under the Industrial Land Reserve Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 2870

Report of the Committee on Public Safety for June 26, 1991 transmitting two ordinances and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2266

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Ten - Building, Chapter 10, Section 1007.02, Section 120.3, Notice of Unsafe Structure, Section 120.4 Restoration of Unsafe Structure, and Section 120.5 Condemnation Notice, by placing a limit on the time periods in which abatement of violations shall be required."

---(SPONSORED BY MICHELLE MADOFF) (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

On the blighted property bill, which is No. 2266, I appreciate all the support of Council and the BOCA Code of Review. We're going to try to stop properties from being blighted in neighborhoods for 10 years, 20 years, 3 years, 7 years. The reason it was held up until now is that the BOCA Code wanted to make sure the language was enforceable. The Law Department and Bill Urbanic from my office worked on it to complete it.

This bill doesn't go far enough. We do have a problem with properties that even though they board them up, and even though they're meeting the Code, and they know they're quote safe, and they're still quote blighted when there's graffiti on them. When you've got an abandoned piece of property in the community, and the neighbors next to you move out, and two houses across the road have people moving out, and they don't even stay in the City, and they move out of the City. That's happening. Sheridan is an example.

We need some legislation out of Harrisburg that will give us some empowerment. Perhaps, one of the ways to proceed is with Eminent Domain. If there's a property sitting around for 7 years and its blighted it can't be worth very much to the owner. I would think the appraisal would come in at a price that we could take it over, and if they're keeping it for some reason - it's like having lower land tax and higher building tax. We encourage the person to develop it and not let it sit there blighted.

I hope that Council in its infinite wisdom

would start to look at that aspect and what we can do out of Harrisburg, and perhaps the President of Council would talk to the Administration about really moving in that direction. Because that's the only hope we really have. Because as we become more blighted people move out, people don't want to move in here.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2474

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code of Ordinance, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 615 - Commercial Public Nuisances by adding a prohibition against facilities where controlled substances are illegally bought, sold or used."
---(SPONSORED BY MR. DARKINS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. COYNE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2781

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Kevin J. Pegnato, Executive Defensive Tactics, for professional services for defensive tactics training to Detectives assigned to O.N.I."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

Thank you Mr. President, I just wanted to remind my colleagues and others that we have a post agenda right after this meeting on bulk waste pick-up matters.

Over the past few months my office has received numerous complaints regarding the new bulk waste pick-up system from residents and from landlords. There seems to be numerous problems that the system has to address.

One, is the public doesn't know what the new rules are. Telephone lines in Environmental Services are always busy, or people are put on hold for 15 to 30 minutes. Appointments are not always kept by the Department of Environmental Services. They're scheduled more than a month in the future right now, and if the bulk waste goods as you know are appliances, furniture, carpeting, any large goods, if they're placed on the curb mistakenly then if often sits there for weeks, and neighbors are not allowed to call DES to get that garbage picked up.

In short the system is not working. The new system that DES put into place a few months ago, and we're going to have a post agenda right after this meeting. I invite everybody to come. The Director of Environmental Services will be there as will the Chief Administrative Officer, Jim Turner. Thank you.

Mr. Ferlo:

Yes, I'd like to just remind the public that I didn't vote for the bulk waste system plan.

Secondly, on another matter I've been fighting a three year battle, Mr. President regarding a traffic island on Liberty Avenue. The battle first began actually back when I'm sure we all remember Director McDermott from Engineering and Construction, who has since retired. But, I do want to thank Director Sciuilli for bringing the project to completion and that is the removal of a traffic island that should never have been put in place on Liberty Avenue at the foot of the Bloomfield Bridge.

So, I'm actually just pointing this out to say thank you to Director Sciuilli. Thank you Director, wherever you are.

Mr. Regan:

I would just like to say about the Environmental people, you know on the North Side we call that an easy dog to kick. You know they're in a tough business and I think they do a tremendous job, but I think that its a thankless job. You know I don't hear anybody calling up and thanking them for the good things they do. It's like the police officers versus the firemen. Firemen knock a hole in your roof, knock your front door in, your back door in, knock out all the windows, put out a little fire in the basement and they say, "God aren't them firemen great". Did you ever hear anybody rap a fireman? I never did. A policeman comes in your back yard and

they holler out the window; where's your search warrant, and I just think that that's what you call an easy dog to kick. You know, its easy to go after them people because its a problem business that they handle. But, I think my colleague Mr. Cohen does a tremendous job and I will be at that meeting only because of him.

Mr. Cohen:

Thank you, Councilman.

The Chair:

I'd like to follow up by stating that the bulk waste pick-up, there has been a lot of problems, but I really think its because its a new program and the people working with it simply have to get the bugs out of the program. I think its a matter of time and it will be working as well as the other Environmental Services that we have in the City of Pittsburgh.

Mr. Cohen:

Mr. President on that issue. Obviously, I'm not maligning in any way the Department of Environmental Services. I think they do a very good job. This system is not working.

The Chair:

You're right.

Mr. Cohen:

The Administration itself agrees that its not working, and we need to talk about and see what new changes need to be put into place.

The Chair:

Absolutely, I just don't want controversy within Council about whose running what.

One final note, I'd also like to say with the retirement of Paul McDermott, I thought he was an excellent Director in Engineering and Construction.

Mr. Regan:

Before you adjourn. I'd just to make a couple of comments about my trip to Poland. I took a trip to Poland to visit one of the cities I visited was Katowice which is our Sister City, and I learned a couple of words over there, and I really missed my cue when they called the roll call I should have said (Mr. Regan spoke in Polish), which means present sir in Polish.

But, I really was fascinated by the Polish people in their country for the tremendous job that they're doing, but they need a lot of help on reconstructing their businesses and reconstructing their government. They had experts from all over the world, and of course I was lucky enough to represent City Councilman Jack Wagner and the City of Pittsburgh.

Now, you know I'm not a great speaker like my colleague Mr. Cohen down there, so I showed a little slide production showing the old Pittsburgh where you had to wear two shirts a day, and the new Pittsburgh coming through the Tunnels and our City opening up, and they were very much impressed about Pittsburgh. You would be amazed at how many people know about Pittsburgh and what we've done. We always talk about our faults and our problems, but we are recognized around the world as a City that has pulled up their pants, and worked hard, and got the job done. I guess it's called Hoizahn. Is that right in Yiddish, Councilman, pants?

Mr. Cohen:

I think that comes close enough.

Michelle Madoff:

Hoizahn are pants, right.

Mr. Regan:

But, I visited Warsaw, Katowice, we visited some factories, we visited a steel mill, and the people of Poland said to send their best to the City of Pittsburgh, and it was really a heart warming thing to see those people asking for help.

One guy made a mistake and said something about a hand out, and boy some Polish lady and a columnists really attacked him, and I said that's what you have to do. You have to attack, and I told them about our famous Councilwoman. It was nothing personal but I told them how attractive she was, and what a nice lady she was, but she attacks, and I told them that's what you have to do. So, I just wanted to thank everybody for the opportunity to be there, and tell what great people the Polish are.

Michelle Madoff:

May I respond, my maiden name was Radzinski.

Mr. Regan:

That's like Smith in Polish, Radzinski.

Michelle Madoff:

Well, what can I tell you. On another subject.

The Chair:

On the same subject, if I could add a note. I want to thank Councilman Regan for going there along with Charles McAllister, the Assistant to Jim Rooney in representing the City.

I want to state that is was at no cost to the taxpayers that you did that, and it was a request from the people of Poland that the City be represented, and that in and of itself was a tremendous honor. I really want to thank you for spending a week there representing the City, and I know you did a fine job.

Mr. Regan:

Thank you.

Michelle Madoff:

On another subject, Public Works and Lou Gaetano. I have a concern that the Administration do something about getting a Director for Public Works and make a decision on how they're going to expedite it. Whether they're going to appoint the Acting Director, or whether they're going to combine departments, or bring somebody in. My understanding is that a number of people have been hesitant about accepting the job for various and sundry reasons. Not the least of which is the fact that one serves at the disposal of whoever is Mayor, and that may be a factor.

I think its important that we resolve that, and I think that Council ought to through the President of Council, send a message along either in discussion or in a memo. You know its been along time.

And, the other thing is that I think its terribly unfair to have Mr. Gaetano assigned to a program, and I think the thing that's holding it up as I understand it is the county, and I would hope that the county would not delay this any further, and let's get on with it — I mean here's a man that's been using his own money to exist, and that's money that would be drawing interest. I think we're going to have to reimburse him his salary until the first of the year, and I think we should be giving him the interest on his own money.

Mr. Ferlo:

On that issue, Mr. Chairman. I don't think we need to look any further then the Acting Director who is presently in the job. I think he's doing a great job, and I think we should all compliment Director Tiglio.

Mr. Darkins moved to approve the Minutes of Tuesday, June 25, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, July 9, 1991

No. 28

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, July 9, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Regan:

I'd like to first of all welcome all the people from Shadyside. We're honored to have you here, no matter what side you're on.

We had an International Basketball Week this week in Pittsburgh, and we had teams from Italy, France and Canada. Some of those people are here and they're going to receive an award from us.

I'd like to ask my colleague, Mr. Ricciardi, to come up. He has been involved with me in this project.

I'd like to ask Roger Tank from France and Carl Kohlman and all the people that are with you to come up. Mrs. Tank, do you want to come up, please? All the people from France and the Kohlman family come up.

We're honored to have Commissioner Dunn here. Do you want to come up, please, Commissioner. It's not every day you get a County Commissioner over here, whether he's Democrat or Republican. We're honored to have you, Commissioner.

Mr. Regan presents

No. 2892 WHEREAS, the Pittsburgh Summer Basketball League, in cooperation with the Boys and Girls Clubs of Western

Pennsylvania, help to host several international basketball teams from Italy, France and Canada; and

WHEREAS, the Canadian Junior Women's Team, coached by Bryan Kornberger, Doug McGregor and Dale Bradshaw, with its Members: Terry-Lee Johannesson, Sheryl Lamotte, Andrea Pales, Pam Flick, Jody Rock, Sarah Myers, Vicki Neufeld, Sandra Carroll, Sheri Telke, Lisa Waschuk, Allison Laferty, Kristina Anderson, Andrea Brown and Jennifer Bell, has earned the title of the Manitoba Provincial Champions and will compete in the City of Pittsburgh from July 1-6; and

WHEREAS, the Canadian Men's Team, coached by Joe Dicurzio, John Taylor, Dave Schaefer and Dave Guss, with its Members: Elliot Urger, Norm Froemel, Mark Tinholt, Yorick Parke, Kyle Guss, Roger Watchorn, Bob Heighton, Jason Scott, Warren Nightingale, Ron Janzen and Chris Chartier, have also traveled to Pittsburgh to play area men's teams; and

WHEREAS, the French Junior Women's Team, coached by Roger Tank, have traveled from Nancy and will be in Pittsburgh to compete against several area All-Star teams; and

WHEREAS, the Italian Junior Women's Team, coached by Alexander Ferri and Romano Pagano, will compete against all star teams from such schools as North Catholic and Quigley High School; and

WHEREAS, the purpose of this trip is not only to promote the athletic competition, but also the friendships shared and the fond memories to be carried back with each and every person taking part in the trip; and

WHEREAS, Carl Kohlman and the Pittsburgh Summer Basketball League are to be commended for their efforts in bringing this fine

group of young people to our City for the purpose of promoting positive international relations.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim July 8-12 "International Basketball Week" in the City of Pittsburgh in honor of the Canadian, French and Italian teams that have journeyed to our City to promote the youth of our land. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Regan:

This is Carl Kohlman here and I have always said this about Carl Kohlman - He has done more to promote the race relations in this City and any other city, and has done a tremendous job in our City to promote basketball.

Mr. Kohlman:

I'd like to thank City Council for this honor. I hope this is just the first step in continuing this kind of process. We'd like to do this next year and do it on an even bigger scope. We also hope to get a little better coverage and a little better knowledge of what's going on so that there would be more people who would be able to see what we did. I'd like to thank you.

Mr. Regan:

I want Councilman Ricciardi to come up here because he was the only guy that we had in Council that could speak Italian, so when the Italian team came, he took good care of them.

Mr. Ricciardi:

I just would like to thank Councilman Regan for organizing this event. It's just tremendous when we show good will between different countries and I think Councilman Regan has done a tremendous job along with the coaches and along with Coach Driscoll from Quigley High and Mr. Kohlman. Thank you.

Mr. Regan:

I'd like to have Commissioner Dunn say a few words. Commissioner, we're honored to have you here this morning, so maybe you could invite us over to one of your sessions. That could only happen in America.

Commissioner Dunn:

Thank you. I think this is the closest a Republican has been to these seats in many years.

It's very important, I think, that we promote the kind of cooperation that Carl and Roger are doing here. I think the City and the County together have been working to promote the image of Allegheny County. It's something that means an awful lot to the future of our area. And the more visitors we bring here, especially international visitors, we feel in the long run this is going to lead to opening up opportunities for our businesses and also encouraging foreign businesses to come here.

I'm very glad to be a part of this and it's great to be with this august body today. Thank you.

Mr. Regan:

I'd like to ask Coach Roger Tank who is here with his family. Roger brings a group of at least 50 to 100 boys and girls from France every year for the basketball clinic at the University of

Pittsburgh. He is an outstanding citizen in France and I hope he comes back enough times so that we can give him a dual citizenship. Pittsburgh, this is our state and our country right here in Pittsburgh and we'll give you a dual citizenship.

Mr. Tank:

Mr. President, ladies and gentlemen, I am French. I teach German, so please forgive me for my terrible English accent, but I do what I can.

I would like on behalf of the French basketball group to thank everybody here and tell you that we don't fear foreigners anymore because of people like Mr. Regan and Mr. Carl Kohlman. They welcome us so warmly.

I just hope that we can return the favor when Carl Kohlman visits us in Nancy next month for my own basketball camp. I'm trying to have them visit Paris for three days. They will spend a week with me at my basketball camp in Nancy, which is east of France, from Strasbourg. Then I will send them north to see about a bad memory, a memory for World War II. Then I'll send them to Luxemburg for two days. I'll bring them back to Nancy, I'll send them back to Paris, and then they are to fly back to Pittsburgh.

So, I promise to brush up on my English but, Carl Kohlman, please, improve your French.

Mr. Regan:

Roger, I understood everything but "zen". Zen this and zen that. Next time you come back it will be "then", right?

Valerie was a little nervous about her English so I told her she could speak in French to these fine people mostly from Shadyside here this morning. Valerie, this is a great women's basketball player from France. Seventeen years old.

Ms. Tank: (translated by her father)

Thanks to everyone here, especially Mr. Regan and Mr. Kohlman, because I feel great.

Mr. Regan:

Roger wants to make some presentations.

Mr. Tank:

So the City of Pittsburgh is famous for iron, and even I.C. Light. My state of Lorraine is also famous for iron, so I have here, I think you call this the Official Seal of Lorraine, in iron. This is for Mr. Regan.

Also, I have the official flag of the French Basketball Federation from Paris with our colors, like yours. And also, the official medal from the City of Montpellier. This is south of France, close to the Spanish border and Valerie is coming from there.

Mr. Commissioner Dunn, I also have for you the same medal from Montpellier.

My home city is very big because it is about 8,511 people. It's very big. Here are a couple of things from my City, from the festival from this year, and I would like Valerie to give them to you.

The Chair:

Thank you all for coming.

Mr. Cohen:

All you folks who came down here this morning, you thought we only covered local issues on City Council. Obviously we cover world-wide issues.

But I want to get back to a local issue and ask for Steffi Domike and Nicole Fauteux to come here, please. I think the presentation to Councilman Regan of the iron is a good transition to this resolution because we're going to be talking about iron and steel a little bit and commemorate the 100th anniversary coming up of the great Homestead Steel Strike and the two women next to me are producing a film that really has terrific potential called Monongahela Morning.

Mr. Cohen and Mr. Milliones present

No. 2893 WHEREAS, the 100th Anniversary of the historic Homestead Steel Strike will occur in the summer of 1992; and

WHEREAS, Pittsburgh filmmakers Steffi Domike and Nicole Fauteux are producing an hour-long film entitled, Monongahela Morning to commemorate the occasion of this anniversary; and

WHEREAS, Monongahela Morning will encourage a reconsideration of the legacy of Homestead and a critical examination of the choices that lie ahead; and

WHEREAS, the film will stimulate interest in our regional heritage through its use of a rich photographic and literary record, biographies and autobiographies, and oral histories of the strikers' descendants.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports and commends Steffi Domike, Nicole Fauteux and their entire project crew for their efforts to educate the public about this important event in Pennsylvania history.

Mr. Cohen moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much. I also want to thank Councilman Milliones for co-sponsoring this with me.

As I said, this will be an hour-long film that I think will be a real showing of our rich heritage and they hope to have this film aired nationally on public television. The great Homestead Steel Strike was obviously a very dramatic story in the history of this region, the story of a bloody battle between the workers and the Pinkerton Detectives and how a town was actually occupied by a state militia.

But even more than that, it's a commemoration, really, of the history of our region and a very important chapter in the history of our labor movement.

I'd like either Steffi or Nicole to please say a few words.

Ms. Domike:

We want to thank Councilman Cohen and Jake Milliones for submitting this resolution in support of Monongahela Morning. We're glad to see the City of Pittsburgh recognizing and supporting and involving itself in this commemoration.

We hope that this is only the first sign of support for the commemoration activities next year. Besides the film, there will be a scholarly symposium addressing the issues raised in the legacy of the Homestead Strike. There will be a songfest and fireworks and a celebration and we're also working on an anthology that will go along with the film that will make this much more useful in schools and make the interest much

greater.

We also think it's important that the City of Pittsburgh is recognizing that it's not just the Borough of Munhall that was involved but this is an important part of our history, the City of Pittsburgh, a City that really is essential to America's industrial might and to the founding of industrial unionism.

Thanks very much.

The Chair:

Thanks for coming.

Mr. Coyne:

Would Mark Verno from the Notre Dame Club of Pittsburgh come forward, please? The Notre Dame Club will be holding a breakfast and a dinner this Saturday to honor Coach Lou Holtz who will be coming in as a fundraiser for the Notre Dame Scholarship Fund. Mark is a representative of the Notre Dame Club of Pittsburgh and a fellow alumnus of myself and he's here to accept the proclamation.

Mr. Coyne presents

No. 2894 WHEREAS, on July 13, 1991, The Notre Dame Club of Pittsburgh will welcome Mr. Lou Holtz, Coach of The Notre Dame Fighting Irish Football Program to our City; and

WHEREAS, Lou Holtz was born in Folansbee, West Virginia and attended high school in nearby East Liverpool, Ohio; and

WHEREAS, Lou Holtz, like Steeler legend Jack Lambert, played linebacker at Kent State University before moving on to assistant coaching stints at Iowa, William and Mary, Connecticut, South Carolina and 1968 National

Champion Ohio State; and

WHEREAS, as a head coach, Lou Holtz has had an impressive record of turning losing programs into winners at William and Mary, North Carolina State, Arkansas, and Minnesota; and

WHEREAS, at Notre Dame, Lou Holtz has been successful in his mission to "wake up the echoes" and return the Fighting Irish to national prominence amassing a 46-14-0 record, including the 1988 National Championship, and a 23 game winning streak, against what is consistently the toughest schedule in the NCAA; and

WHEREAS, the success of Lou Holtz, is based on his ethic of solid values, discipline, responsibility to his school and his players, and hard work.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Lou Holtz, Coach of The Notre Dame Fighting Irish Football Team, and does proclaim Saturday, July 13, 1991, "Lou Holtz Day" in the City of Pittsburgh.

BE IT FURTHER RESOLVED, that this Council acknowledge the contributions to our community of The Notre Dame Club of Pittsburgh.

Mr. Coyne moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Verno:

I'd like to thank you all for this proclamation and your support. I appreciate the recognition of Lou Holtz because I think Lou

Holtz and Pittsburgh have a lot in common, as the values and the work ethic that are referred to in the resolution. I think they're very much at home here in Pittsburgh.

I also want to point out that he's appearing to benefit our scholarship fund which helps students from the Pittsburgh area attend the University of Notre Dame which is a very expensive proposition for a lot of our people from the local area. But the important thing is that those people will come back and are very active in the community, both through our activities with The Club and many other community service activities.

I also want to point out that the appearance of Coach Holtz benefits another very worthwhile cause. We're raising money for the Christa DiLeo Foundation to build a center for the victims of Cerebral Palsy, a very worthwhile cause also.

I want to thank our distinguished alumnus, Mike Coyne, for presenting the resolution and doing everything that he does to help our organization on an on-going basis. Thank you very much.

Mr. Ricciardi presents

No. 2895 WHEREAS, the Brashear Association perpetuates the humanitarian interests of John and Phoebe Brashear; and

WHEREAS, the Brashear Association, through their programs and services, ameliorate negative socio-economic concerns; and

WHEREAS, the Brashear Association serves the poor, the frail and the indigent and promotes citizen self-help efforts; and

WHEREAS, the South Side Summer Street Spectacular, the annual community

summer festival, allows the Brashear Association and the other community organizations to earn a substantial portion of their operating budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the Brashear Association a civic organization within the context of the Pennsylvania Small Games of Chance legislation.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi presents

No. 2896 WHEREAS, the South Side Chamber of Commerce is an organization which fosters, promotes, and encourages business growth in the South Side; and

WHEREAS, the South Side Chamber of Commerce also preserves, promotes and develops the South Side consistent with civic and community interests; and

WHEREAS, the South Side Summer Street Spectacular, the annual community summer festival, allows the South Side Chamber of Commerce and the other community organizations to earn a substantial portion of their operating budgets.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the South Side Chamber of Commerce a civic organization within the context of the Pennsylvania Small Games of Chance legislation.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. I just asked my colleague what the Small Games of Chance legislation was and I think it's important that we clarify it. I didn't know it until he just told me. Would you clarify that, Mr. Ricciardi?

Mr. Ricciardi:

This is the same motion we approved last week. There is a state law called Small Games of Chance law that non-profit groups are going to be raising any types of monies through any types of games, that they must be first motioned by City government or any government of that particular entity saying that they're non-profit. So, the monies collected during the week of the South Side Summer Spectacular will not be used for profit-making ventures but for non-profit groups.

The Chair:

Thank you.

Mr. Coyne presented

No. 2877 Resolution amending Res. No. 47, eff. Feb. 12, 1991 entitled "Providing for the letting of a contract or contracts, or to exercise against existing contracts, for various energy conservation projects for the Dept. of General Services, and providing for the payment of the cost thereof. Funds are available in Capital Account 3-30-01-0004-91 (1989 Project Fund), Index Code 831065, Energy Conservation Improvements for Public Buildings, Dept. of General Services," in include the letting of a contract(s) or the use of existing contracts for the purchase of equipment, materials and supplies. Cost not to exceed \$225,000.00.

Also,

No. 2878 Resolution providing for authorization to enter into a contract or contracts by the City of Pittsburgh, with the Pennsylvania Energy Office (PEO), for a grant in connection with Energy in the Environmental and Recycling Technology Program; providing for the execution of a Grant Contract; providing for required assurances; and providing for the deposit of the funds in a bank account of a special trust fund to be designated as "Energy Conservation Trust Fund".

Which were read and referred to the Committee on General Services.

Michelle Madoff presented

No. 2880 Resolution providing for the issuance of a warrant or warrants in favor of the Commonwealth of Pennsylvania, Dept. of Environmental Services, P.O. Box 1467, Harrisburg, PA 17105-1467, in the amount of \$935.34 in payment for testing for radionuclides in drinking water, furnished for the benefit of the City in connection with the Pennsylvania Safe Drinking Water Act, chargeable to and payable from Code Account No. 1972, Misc. Services, Purification and Pumping Division, Department of Water.

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 2881 Resolution providing for the issuance of a warrant in favor of the Pittsburgh Sports and Festival Federation in the amount of \$15,000.00, payable from the Mayor's Office, Misc. Services, Code Account 1017. This warrant is necessary because the organization has not received funds from the county. These

funds will be returned to this code account during 1991.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2882 Resolution authorizing the transfer of \$135,000.00 from the JTPA-1 Trust Fund, to the General Fund of the City of Pittsburgh's PSC-JTPA Indirect Reimbursement Cost Account, for reimbursement of indirect costs of the Job Training Partnership Act Program for fiscal year 1991.

Also,

No. 2883 Resolution amending Res. No. 1256, Item B, eff. Dec. 7, 1990 which authorized the sale of property in the 11th Ward, being a 2 story, brick house situated on a lot 18.1' x avg. 89.65' x 24.84' Rr., located at 5410 Rosetta Street, designated as Block 50 M, Lot 180, to Rosetta Spears, for the sum of \$2,500.00. The reason for the above amending resolution is to reduce the selling price to \$1,000.00 as the structure has suffered extensive fire damage. The buyer is willing to continue with the sale at the reduced price. (Council District #7)

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 2879 Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase Cameras and Lenses for use in the office of (ONI), Organized Crime, Narcotics and Intelligence, Bureau of Police, at a cost not to exceed \$37,000.00, chargeable to and payable from Code Account (NT (PSPD), Public Safety Penfree Initiative, Bureau of Police, Dept. of Public Safety.

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 2884 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pgh., PA 15219, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of July, 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, City Council, Council District #3. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

The Chair presented

No. 2885 Resolution providing for an Agreement or Agreements with a consultant for professional services for the evaluation of personnel and position structures in the Office of the City Clerk, in an amount not to exceed \$10,000.00, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies, Equipment, etc., City Council, Index Code 100115.

---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Finance.

Also,

No. 2886 Communication from Thomas Flaherty, City Controller, submitting the 1990 Comprehensive Annual Financial Report for the year ending December 31, 1990.

Michelle Madoff:

For the Record. Yippee, we got it before the end of the year, the annual report.

Also,

No. 2887 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the enactment of a resolution involving the future of Nitro Entertainment and their Marina/Restaurant complex near Three Rivers Stadium. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2888

Report of the Committee on Finance for July 3, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2799

A Resolution entitled, "Resolution transferring \$40,000.00 from Code Account 1080, Consumer

Protection and Anti-Trust Proceedings, Index Code #108001, Department of Law, to Code Account 1490-9, Workers Compensation, Index Code #149096, Department of Engineering and Construction."

Which was read.

Also,

Bill No. 2805

A Resolution entitled, "Resolution transferring the amount of Twenty Seven Thousand Seven Hundred Eighty Six Dollars, Thirty Seven Cents (\$27,786.37) from Code Account CC, Community Communications Trust Fund, (Index Code 250555), Department of Public Works, Bureau of Cable Communications to the Grant Street Trust Fund (Index Code 252429), Department of Engineering and Construction."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Also,

Bill No. 2812

A Resolution entitled, "Resolution providing for the issuance of a \$768.00 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2861

A Resolution entitled, "Resolution providing for an agreement or agreements with various agencies for job development and employment

services in connection with the Neighborhood Employment Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2862

A Resolution entitled, "Resolution providing for an agreement or agreements with various agencies for job development and employment services and/or on-the-job training in connection with the Pittsburgh Partnership Employment Program and providing for the payment thereof."

Which was read.

Also,

Bill No. 2863

A Resolution entitled, "Resolution providing the authorization to make all legitimate administrative expenditures necessary to implement the Pittsburgh Partnership Employment Program; providing for the periodic transfer of funds to reimburse for program administrative costs incurred, and providing for the periodic transfer of funds to be used for wages and fringe benefits for participants of the Pittsburgh Partnership Employment Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 2889

Report of the Committee on Public Works for July 3, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2806

A Resolution entitled, "Resolution accepting from Edward and Rosemarie Balzer, 423 Fisk Street, and Frank Tysarczyk, 421 Fisk Street, certain property known as Private Mintwood to be used for street right-of-way and other public purposes in the 9th Ward, 7th District of the City of Pittsburgh."

Which was read.

Mr. Ferlo:

Mr. President, on Bill 2806 under Public Works, as a result of discussions at the table with Public Works representatives, specifically Mr. Serpa, I'd like to make the following amendment

adding a new Section 3 and changing Section 3 to Section 4, reading as follows:

"Section 3. That the dedication of Mintwood guarantees that no paving of the top of the existing brick will occur and that the street will not be opened as a through street for future plans."

Mr. Coyne seconded the motion.

Michelle Madoff:

Why are we doing this?

Mr. Ferlo:

This is in my district. Private Mintwood, we're dedicating part of the street back to the City for a street light that was already installed there some time ago. The quality of the street, it's a yellow brick street. They'd like to maintain the street in the manner in which it is currently constructed. Also, the street is currently a dead-end street and they want to make sure it's a dead-end street for safety purposes. And Public Works obviously did not have an objection to that.

Michelle Madoff:

I have a great concern about this. This issue has come up repeatedly over the years and we have never done it by legislation. It means that every time one of us doesn't like what Public Works is doing or somebody is going in to adjust a street or put a light in to make sure that it's done the way we want to do it—

I remember when they were going to pave Murray Hill Avenue which is a brick road and they didn't want it paved and I called and got with the neighbors and supported them and the Administration saw the light, it was during the Caliguiri Administration, and they agreed not to pave it.

I don't think this should be done legislatively because every time something comes up one of us is going to say, "It's my street. Let's take over running the City." And I think that's the wrong way to proceed. And I caution you, if you vote for this as legislation by putting that amendment in, you're opening the door to that kind of interaction.

Mr. Ferlo:

In response. First of all, the Administration did not object to the amendment, as explained by Mr. Serpa at the table.

Secondly, we frequently, 5, 10, 15 times a year we accept a dedication of various streets. In this case it happens to be Private Mintwood. I say the reasoning, and it had to do with Public Safety regarding a need for an additional overhead light. I think it's perfectly legitimate that the residents try to maintain the quality of the street.

Again, this is only dedicating a portion of the street, not the total street. It would be improper to pave part of it and the rest of it remain a yellow brick street.

And, secondly, from Public Safety traffic points of view, it's important that it remain a dead end street. I don't think this is a major issue.

Mr. Darkins:

I don't find any problem with it at all because, as the Chairman of the Department of Public Works, this has already been discussed and it has come before us today and it has been done in the past and there's no problem with this.

Michelle Madoff:

It hasn't been done in the past.

Mr. Darkins:

It has been done in the past.

Michelle Madoff:

The point I'm making is, the actual job as it is perceived here and as it has been outlined, is yes, it has been done by the Administration. That is true. And it is agreed to by the Administration. I don't want to change anything that's on here; I just don't want to make it legislatively because if we amend the legislation every time we have somebody who wants to change something and maybe the next time in disagreement with the Administration, we're doing it legislatively. I think it's a bad precedent to set.

I agree that it was talked out, it was worked out. There was an agreement. If there's an agreement, let's not put it into legislation.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also,

Bill No. 2807

A Resolution entitled, "Resolution granting unto North of Forbes, Inc., 2313 E. Carson Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy with clock on a portion of the sidewalk of East Carson Street in the 16th Ward, 3rd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2808

A Resolution entitled, "Resolution granting unto Carnegie Institute, Forbes Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense two light poles on a portion of the sidewalk of Forbes Avenue in the 4th Ward, 3rd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2761

A Resolution entitled, "Resolution granting unto Pittsburgh National Bank, Mount Washington Branch, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk of Virginia Avenue in the 19th Ward, 2nd District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2890

Report of the Committee on Planning, Housing and Development for July 3, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2765

A Resolution entitled, "Resolution amending Resolution No. 507 effective May 30, 1991, entitled 'Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of

Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program,' so as to increase the overall 1991 Grant amount from \$15,699,992.00 to \$17,734,000.00, and reprogram these funds to the appropriate departments."

Which was read.

Mr. Ferlo:

On Bill 2765, which is the allocation of additional Community Development Block Grant federal dollars in the amount of \$2,034,000, I would like to make a number of amendments.

First of all, under this allocation process worked out with the Administration, basically Councilmembers are afforded an opportunity to direct \$11,111.00 to important community-based organizations in their community. Accordingly, I'd like to offer the following amendment, which you have on the table, regarding the allocation of monies to the Lawrenceville Business Association.

The Chair:

Okay, everyone has a written copy of the amendment to Bill No. 2765. The amendment is on the floor; is there a second on it?

Mr. Coyne seconded the motion.

Michelle Madoff:

Discussion. Let's just put this into perspective because I want to be sure I understand it.

The Administration had a windfall of \$2 million, federal dollars, over \$2 million in federal windfall. Originally this Council wanted to get

either half of it or a good portion of it, and we were trying to get \$225,000, \$25,000 a piece. We have now amended that so that through some negotiations the Administration will give us a pittance which will be \$11,000 basically that we can allocate to needy causes in our community. Is that essentially correct?

Mr. Ferlo:

Yes.

Michelle Madoff:

Okay. Each person will be able to allocate their dollars as they see fit and today you're allocating your dollars; is that correct, Mr. Ferlo? And I would assume we'll all vote to let you allocate because you know your community best.

But I just wanted to get the big picture into perspective. We're talking about over \$2 million. I personally think it's more important that a community such as mine, which is District 2, has 15 distinct neighborhoods separated by roads and waterways, etc. We are a microcosm of this whole City. The communities are not contiguous and they each have individual different needs. It's a community and I'm sure there are other communities and other people sitting here who have not received the kind of dollars that other communities have received and the multi-millions of dollars. I've got a community that gets nothing.

I am working with the Administration and the reason I voted as I did previously is that we're going to get some Capital dollars. First they're expanding senior citizen facilities and I'm explaining why I voted in opposition. I'm going to take what I can get for my community but I think this whole thing is just a joke.

The Chair:

Is there any further discussion on the amendment?

All those in favor? Those opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

Secondly, Mr. Chairman, four other related amendments regarding the windfall allocation of these federal dollars has to do with the allocation of \$310,000 to the Housing Authority of the City of Pittsburgh. I have been on the Board for more than a year and a half, an active member of the Board. I think it's a mistake if Council allocates the \$310,000 to the Housing Authority solely for modernization and rehab. Those are the largest blocks of money that the agency has from the federal Housing and Urban Development and I think as a Council we should begin to help set policy and provide some priorities for how these dollars should be used at the Authority.

These four amendments as outlined to you on the table here today would basically allocate the \$310,000 in the following way, and I'd like to make that in the form of a motion, amendment, and that is \$150,000 increasing the pot. \$150,000 would go to community and social service programs operating and providing services within the Public Housing Authority communities. Again, these communities serving 30,000 residents and \$100,000 of a new line item be created for renovation and repair of Park and Recreation facilities in public housing communities. These are facilities that haven't been repaired or renovated since the '60s.

And thirdly, that a new line item be created, \$60,000 for the Board to have some discretion and entertain proposals from tenant

organizations within the community that want to engage in community improvement and self-help types of projects.

I'd like to make that in the form of a motion.

Mr. Coyne seconded the motion.

The Chair:

Does everyone have a written copy of that amendment in front of them?

Mr. Cohen:

Yes.

Mr. Ricciardi:

Discussion. Mr. President, I'm in full support of Mr. Ferlo's amendment. I think too many times too much money in our Housing Authority goes to bricks. But in this case, it's going to go into some programs that hopefully will help the residents and the tenants of the Housing Authorities.

Mr. Milliones:

I support the amendment as well, Mr. President. I think, however, it's important that we sit down and talk with the folks from the Housing Authority, Mr. Washington, along with someone from the Administration, Mr. Turner, to talk about directions and the manner in which these monies should be allocated relative to social services.

But I would agree that support services are needed in the housing projects.

Mr. Ferlo:

In that vein, I concur with Mr. Milliones'

comments. I think as a matter of procedure, possibly myself since I'm the Chairman of Planning and Housing and also sit on the Housing Authority Board, and Dr. Milliones in his capacity as Finance Chairman, meet with the appropriate administrators, Mr. Washington, Director Turner, and come back to Council with a report.

The Chair:

An excellent idea.

All those in favor of the amendment? Those opposed?

WHICH MOTION PREVAILED.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2546

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Shadyside Health, Education & Research Corporation/Shadyside Hospital for authorization to construct and use a medical helistop on the roof of the Main Tower of Shadyside Hospital, located at 5230 CENTRE AVENUE, and construct a fully enclosed corridor from the landing area to the existing elevator penthouse, on property zoned 'R5' Multiple-Family Residence District, 7th Ward."

Which was read.

Mr. Coyne:

Mr. Chairman, on Bill 2546 pertaining to the Shadyside Helistop, I make two amendments. The first one is that the total number of flights -- It currently reads that the total number of flights are 400 per year. I'd like to make a motion to amend that that the total number of flights be limited to 325 per year.

Mr. Ricciardi seconded the motion.

Michelle Madoff:

I think it's a joke. The issue is not 400 or 300. I don't think anybody is going to be standing on that roof counting the number of flights or that people are going to be home 24 hours a day, 7 days a week.

If anyone has heard a helicopter going over their heads, they know what it sounds like. I know of one television station who would not --

Mr. Coyne:

Point of Order, Mr. Chairman. This is on the amendment, not on the bill itself.

Michelle Madoff:

I thought you were running the meeting, Mr. Wagner. I realize that Mr. Coyne likes to take over, but do I have your permission to continue?

The Chair:

The point of order is, Councilwoman Madoff can talk as long as she wants as long as she talks on the amendment.

Michelle Madoff:

I'm on the amendment. I believe that changing from the number that was proposed to this lesser number does not mean anything. The fact remains, nobody will be there counting it. The fact remains that even at 400, even if you hadn't changed it, or at 200, you can still have ten flights coming in one day, and perhaps nothing for four or five days.

The issue is that we are disregarding communities and I'll talk about that when we get to the bill, but I think this is just a facade, sort of a smoke screen, and no, I do not support it.

Mr. Ricciardi:

On the amendment, first of all, I'd like to respond to Michelle Madoff's reasoning that it's a joke on the number of flights that are counted. They are counted because all flights are logged in with the FAA. So, there is a log count.

But, on the amendment, I'd like to commend Councilman Coyne for his amendment. Number one, I think the amendment will guarantee this Council that flights are used for medical necessity and not for a marketing tool. There are numbers that show that in 1990, 197 flights came into Children's Hospital and were transported by ambulance to Shadyside. Their own projections show that within the next

five years, that their flights will be around the 250 mark.

So, what this amendment will do by taking it down from 400 to 325, is to guarantee again that it will be for medical necessity and not turn it into a marketing tool.

So, again I commend and I thank Councilman Coyne for his efforts.

Mr. Cohen:

With all due respect to Councilman Coyne and Councilman Ricciardi, I think that this guarantees quite the opposite. What this does is it increases the amount of flights that Shadyside Hospital will be able to get from 179, not 197 but 179 that they had last year through Children's Hospital up to 325 which is, in fact, an 81 percent increase in the number of flights. Let's not make any mistake about it. This is one of the main reasons that the hospital is doing this to begin with, to increase the number of patients coming to Shadyside Hospital.

I don't think that this amendment significantly reduces the number of flights. It is effectively little more than one flight per week and I don't think it will do anything to protect the neighborhood.

The ultimate question here is whether or not Shadyside Hospital should have a helistop and the answer is no.

The Chair:

Is there any other discussion on the amendment Councilman Coyne has proposed? 400 to 325.

Michelle Madoff:

I want to talk on the bill.

The Chair:

The amendment only. Amendment number one.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5

NOES 4

VOTING NO:

Mr. Cohen	Michelle Madoff
Mr. Ferlo	Mr. Regan

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Coyne:

The second amendment I'm proposing is to add the words, "and that the flights between 10:00 p.m. and 7:00 a.m. be limited to an average of five flights per month".

Mr. Ricciardi seconded the motion.

Michelle Madoff:

If we lose, I might as well get this.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES 3

VOTING NO:

Mr. Cohen	Mr. Regan
Mr. Ferlo	

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Michelle Madoff:

Point of Order. Would you clarify what just passed? From 10:00 at night to 7:00 in the morning, there will only be one flight permitted?

The Chair:

There will be an average of five flights per month.

Michelle Madoff:

Five flights in the whole month between 10:00 at night and 7:00 in the morning, if the bill doesn't pass?

The Chair:

If the bill doesn't pass, there won't be any flights. And if it does pass –

Michelle Madoff:

That's the game plan. That's what I'm aiming at.

The Chair:

If it does pass, I believe the intent behind the amendment is to reduce the number of flights at a time when they can be most disturbing to the neighborhood.

Mr. Regan:

Mr. President, if it's at the end of the month and somebody is the sixth person, do they put them on a holding pattern until after midnight?

The Chair:

It appears so.

Mr. Ferlo:

Mr. President and Members of Council, I would like to indicate my support for the resolution and explain the following. Obviously, as all of you are aware, we have gotten a lot of calls. This has been a controversial issue. I think like everybody else I have spent a lot of time reading all the correspondence, both pro and con, and responding to a lot of phone calls and sat here intently listening to roughly eight hours of public testimony.

This Council recently adopted an ordinance regulating all helicopter landing facilities, including helistops, the most restricted form of helicopter facilities, for which Shadyside

Hospital has made application. Ordinance 40 just became effective on December 20, 1990, and ended a long process of bringing a 1958 zoning ordinance into today's realities. At the October 20, 1990 public hearing before Council, the Director of City Planning mentioned that there was more public comment and involvement on this set of regulations than on any other in the last five years. I believe it is also worthwhile to note that Shadyside Hospital representatives were present at the public hearing and at Councilman Cohen's request explained that they had monitored the progress of the regulations for about a year and had delayed application for a helistop until the regulations were in final form. I believe the hospital was attempting to show good faith with Council and the community regarding their helistop approval process.

Under Ordinance 40, the application may be denied if at least one of six potential community impacts will be created and the opponents attempted to establish (a) that the establishment, maintenance, location and operation of the proposed use will be detrimental to or endanger the public health, safety, morals, comfort or general welfare and/or (b) that the proposed use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes permitted, or substantially impair property values within the neighborhood. The bases of the concerns being safety concerns and noise levels.

By approving Ordinance 40, this Council adopted objective, measurable criteria to evaluate noise and safety concerns. With regard to safety, the proposed helistop meets the adopted setback and flight pattern regulations, which are based on HUD standards for siting hazardous commercial and industrial facilities. The proposed helistop also gained the approval of the FAA and the Pennsylvania Department of Transportation, Bureau of Aviation. Under the ordinance, there are grounds for disapproval if

the helicopter activity causes day/night average noise levels to exceed 75 decibels or if it creates a discernable change of 3 decibels.

Unfortunately, noise levels in the area of the proposed helistop already exceed the 75 decibel level and the noise analysis resulted in no change as a result of the helicopter operations.

Under Ordinance 40, we know there may be only about one flight per day. On two different occasions I visited the top of Shadyside Hospital at the proposed site of the helistop and walked the residential streets of Colonial, Morehead, St. James and St. James Terrace. I was not convinced that either of the detrimental impacts will occur as a result of the proposed helistop. Further, constituents in my district and other districts who presently live adjacent to, or in the flight paths of, helicopter facilities at other hospitals informed me and other Councilmembers that they have not been adversely affected by helicopter flights.

The present helicopter operations at St. Francis, West Penn, Children's and Allegheny General Hospital, three of which fly larger numbers of flights than proposed for Shadyside, are located much closer to residential homes and businesses than what is proposed for Shadyside. I am not convinced that significant detrimental impact will occur.

While it is not part of the conditional use process, the issue of medical need has become vigorously debated during the application process. All must agree that Shadyside Hospital is a tertiary care facility which delivers care to patients from the Tri-State area and is particularly well known for cardiac care. There were nearly 1,000 cardiac related transports to City hospitals in 1990 and the area's largest Burn Center, West Penn Hospital, actually had more cardiac transports than burn transports. The top 20 referring hospitals transported 1,148 trauma and

cardiac patients in 1990 through STAT and Life Flight. Of this total, 641 transports were for cardiac patients and only 507 were for trauma patients. Every one of the eight local hospitals utilizing a helicopter landing facility received cardiac patients during 1990. These statistics strongly suggest that physicians' recommended mode of transporting a cardiac patient is by helicopter. I believe it is also noteworthy that not a single cardiologist testified against the proposed helistop.

A lot of us did receive letters, Mr. Chairman, and as part of my testimony for the public record I want to read a couple brief passages. One is from Harry Linhart, obviously somebody from out of the City. It reads as follows:

"It is from a personal experience that I am writing to urge you to approve the helicopter landing pad for Shadyside Hospital. I developed a di-section of the main aorta at Conneaut Lake. When it was diagnosed as such at the Meadville Hospital, it became imperative that I be transferred to Shadyside Hospital to my cardiologist, Dr. James O'Toole who, through his experience, saved my life.

Time was of the essence. My wife was told that an ambulance would be too long in getting there; therefore, I was flown by helicopter.

Since time was of the essence, some time was lost as the helicopter had to land at Children's Hospital and then down the elevator to an ambulance which had to go through traffic to Shadyside. The difference between landing at Children's Hospital and directly at Shadyside Hospital could have been the difference between life and death."

Secondly, from a Dr. Diamond, Medical Director for the Trauma Center at Allegheny

General Hospital, what everybody admits is supposedly a competing hospital. Briefly:

"In the specific instance of Shadyside Hospital, I assure you that patients being flown to this facility are severely ill and have a high potential for catastrophic decompensation. This fact leads me to differ with some of my colleagues who are suggesting that the current practice of landing at Children's Hospital and completing the transport by ground ambulance is adequate. I tell you that each year there are several instances when the Life Flight teams bringing patients to Shadyside are forced to divert to Allegheny Hospital because of the patient's condition they would not survive the ambulance trip.

Further, the emotional impact of suddenly being treated by unknown physicians in an unknown institution is unsettling at best for the patient and family. Imagine driving from Latrobe or DuBoise expecting to find your gravely ill mother in one hospital only to learn that she is in another facility and is under the care of strangers, all because the helicopter could not access the speciality care center recommended to you by your practicing physician.

There's no question that the placement of a helipad in a residential area raises legitimate concerns. However, the advantage that such a resource brings to people with life-threatening illnesses poses a significant balance to those concerns."

We have testimony by way of letter from a R.N., a nurse who is involved in providing services on the helicopter. Reading briefly:

"I have been a flight nurse for five years and have transported over 700 patients to various City hospitals. These patients are frequently on ventilators, require the administration of drugs directly into the circulation to maintain cardiac

support. Each time a patient is moved, it causes more stress and more complications. I have personally been involved with flights where the patient has deteriorated en route to Shadyside while in the ambulance and our system has had other patients who had to be diverted to other hospitals because the clinical condition could not withstand an additional 20 minute transport."

Obviously she is in favor of it.

To close on these letters, from a David Blandino, a doctor in an near the Shadyside Hospital:

"In general, I feel that denying Shadyside Hospital's construction of a helistop would be a tremendously unfair decision. It would be unfair to patients from surrounding communities who have already used Shadyside Hospital as a referral center in the past. It would be unfair to their physicians and, more importantly, it would be unfair to the organization of Shadyside Hospital, and it would be unfair to those City residents and communities surrounding Presbyterian, West Penn, St. Francis, Mercy and Allegheny General Hospitals, who have all sacrificed their air space for the good of health care delivery."

Over the past fifteen years, I have been involved in a number of health related activities: I helped write and lobbied for our State's Hospital Patient's Bill of Rights; I worked for five years at an East Liberty based Free Clinic fighting with hospitals who were not living up to their Hill-Burton free care provision; I contributed to the development of the National Health Services Act sponsored by Congressman Ron Dellums; I served on the State's Medical Assistance Advisory Committee of the Department of Public Welfare; I frequently provided testimony on consumer health issues before the now defunct Health Systems Agency; I've been arrested during hospital union organizing drives at Presby

and the Jewish Home and Hospital; and it's very likely that I am the only one at this table that has picketed a National AMA Convention with Grey Panther leader Maggie Kuhn.

I say this to indicate that my first inclination in considering the Shadyside Helistop was to flatly reject it as another example of Big Business hospital care at the expense of health care consumers.

I hear very clearly the arguments that the Shadyside Helistop is duplicating already available services and technology and that the construction of another helistop is contributing to the escalating costs of health care. I will be the first to submit that the health care crisis in this country cries out for complete reform and the creation of a National Health Service that is planned, comprehensive, universal and not for profit, and one that eliminates the wasteful fee for service bureaucracy and duplicative facilities of the competitive marketplace ... this would be the only way to guarantee affordable and accessible health care for all.

However, I know voting against this conditional use application today will not serve to bring us any closer to planned, non-duplicative and affordable health care, and will only deny the patients of Shadyside Hospital the direct access to the health care they need, and in certain cases need as quickly as is possible. As simplistic an argument opponents feel it may be, I believe and I am convinced that it is conceivable that even one life may be saved if the helistop is approved and constructed.

In conclusion, I will vote to approve the construction of the helistop at Shadyside Hospital. I am confident that Shadyside Hospital will take great care to utilize its helistop service wisely, when truly necessary and with sensitivity to the surrounding community which has supported the Hospital for many years.

Mr. Cohen:

Mr. President, I think everybody in this room knows my position on this issue and I made a lengthy statement last Wednesday about it. I do not want to repeat that statement this morning, but I do want to take a couple of moments to respond to a couple of things that Councilman Ferlo said.

On the question of whether or not we should vote for this because it conforms with the law, let me first say there are serious questions as to whether it conforms with the law and whether that law, in fact, conforms with federal guidelines. We have talked about that before, but clearly, the law does not conform to federal guidelines on acceptable noise levels.

That aside, we are not a court of law. We are not judges here. We are an elected body. Our decision is not whether or not this conforms with the law; our decision is whether or not this is good public policy, whether it's good for Shadyside and whether it's good for the City of Pittsburgh. So, I am bothered by some people who seem to be hiding under the shelter of legal technicalities.

Our determination is a harder one, and that is, what's right for this City. In my view, this helistop is not right for Shadyside and it's not right for the City of Pittsburgh. After eight months of studying this issue and meeting with people on both sides, with doctors, with noise engineers, going to Allegheny General Hospital and standing there while helicopters were coming in and out, I am not convinced of the medical need for this helistop.

If I were convinced that a single life, that one single life would be saved through this, then I would be voting with Councilman Ferlo and I would be voting for this helistop. I am not convinced of that.

I do believe that this helistop would provide a duplication of services. Because Shadyside Hospital does not have a trauma center or a burn unit, these are not emergency patients, in my view. These are stabilized patients that will be coming from other hospitals.

And we have to ask ourselves the public policy question of when does it stop. At what point do we say that we should not allow every single hospital in the City of Pittsburgh to have this type of operation that will be a detriment to their neighborhoods and will increase health care costs significantly. That is a public policy question.

And what really, I think, was the straw that broke the camel's back in my view on the question of medical need was that there is a helipad 2400 feet away from Shadyside Hospital. 2400 feet. Less than three minutes by ambulance. And yet, when I asked the President of Shadyside Hospital whom I respect whether or not Shadyside Hospital has ever picked up the phone to try to call West Penn Hospital to negotiate with them over the possibility of sharing their helipad, the answer was no. And the answer is still no.

I asked myself the question, why is it, then, that Shadyside Hospital is using a helicopter service via Children's Hospital as opposed to West Penn Hospital and the answer I think is obvious. The answer is that Shadyside competes with West Penn Hospital; it does not compete with Children's Hospital. If there really was this desperate need to decrease the amount of time for these type of patients, then over the last several years when they've been using Children's Hospital, there should have been at least one effort, at least picking up the phone, to see about the possibility of using West Penn Hospital's helipad for this purpose in order to decrease that time.

I am convinced that the purpose of this helistop is not to save lives. It is not for medical need. It is economic. And there's nothing wrong as an initial matter with economic development. That's an important policy goal of this government and certainly of this City Council. But, there is a problem with pursuing economic development at the expense of the neighborhood, and that's what I think is going on here. I am quite convinced that this helistop will decrease the quality of life in the neighborhood of Shadyside, that people who testified at the public hearing, and many others have told me, that they will leave the City of Pittsburgh, that this is one more added burden that they can't take. They will leave the City of Pittsburgh, they will go to the suburbs, just like what has happened over the last several years in this City. We have lost literally one-half of our population over the last 35 years, the City of Pittsburgh has. We have lost 53,000 people in the last ten years.

That's the issue that I would like Council to focus on for a moment because, if we lose more people through this operation, then ultimately the City of Pittsburgh is going to lose the life blood of the City. And if we continue to do that, this patient that we call the City of Pittsburgh, ultimately will not survive. I am voting no on this helistop.

Michelle Madoff:

Mr. President and Members of Council, as you know, I have legislation that you approved on curtailing noise not to go over X number of decibel levels. It's amusing to me that Fox Chapel immediately put in an ordinance amending it to 55 decibels because they want to be sure that the helicopters do not disturb their stable community.

I think we've seen the worst kind of strong arm tactics, and not just on Shadyside, I think on all levels. It's really unfortunate that this has become an economic issue. Those that have

will get more, and that happens to be fact. One has to listen to the testimony that has been given here and some of it is so slick that we wonder who wrote it.

The issue is really very simple. Nobody wants to discriminate against any hospital but, as my colleague, Dan Cohen says, when to do you say enough is enough.

The cost of helicopters, the burden it adds to the cost of medical care in our community is exorbitant. It's \$3000 to \$4000 a trip in most cases. That means that the poor, that the same Councilmembers who are voting for this who vote for food banks and who want to make sure that the poor have money, don't care that this money is being wasted, or haven't thought that through very clearly.

Mr. Ferlo talks about having walked on top of Shadyside Hospital. But I just asked him, I said, "Was there a helicopter overhead at the time?" No, there wasn't. It doesn't take a genius to figure out that if you have higher than 85 decibel levels now because the trains go by in the Shadyside area where the residents are and the other background level, that if you add to that a helicopter over your head, the decibel levels will go well over 100.

I say that because my staff, Sarah Meeks and Bill Urbanic and others, have done research in other cities on what the decibel levels are and when we should start curtailing noise, as you know, from boom boxes and our car radios.

This is definitely going to be an issue of disturbing the peace, and I will urge the Shadyside neighbors who care about community to start getting little monitors and to start recording the decibel levels. And there is a proviso to cease and desist and we heard that from the FAA, that you can, if you get that kind of noise level, start to do something. Without

question, that is what's going to happen.

It's interesting to me that the day after our vote the other day, the preliminary vote, I just happen to be coming down McArde Roadway and guess what I found. Six tow trucks. One little accident; it was only a back rear-end thing. Nobody was hurt. But six trucks with their flashing lights. Why were they there? Because we don't have enough accidents because we don't have enough population. And they want to get that truck and they want to make sure they make some money. And that's what this is all about. There is no question that who are we to sit in judgment? Is the Medical Society going to say that O'Toole is better than George McGovern? Or we already have access to heliports and that we can't have the West Penn Hospital doctors who are experts in angioplasty taking care of a heart patient? Come on. Or that the patient is going to find that the mother went to the wrong hospital? If the mother's life is saved, who cares?

The basic issue here, and what it comes down to, the bottom line of all of this, is that we're the 40th largest city in the United States and we have the second largest number of helicopters and helicopter stops. We need to petition the Administration because let's deal with the realities. We're a weak Council and a strong Mayor system. We need to petition the Administration, and I'm going to make that in the form of a motion at the appropriate time, to please hold a public hearing or start to hire some agency. We have consultant fees for everything. We don't care about our communities, but boy, we have our consulting fees. Let's get a consulting firm to go in and record or look at all the helicopter situations in our City.

It has been suggested to me and I've talked to the Administration, let's put one central helicopter service on the rivers, bring them in from the suburbs, bring in people who need the help, and then transport them the most

economical way to the hospitals by paramedic service.

The important message that we're sending out, in closing, we're sending out a very strong message. If anybody is listening to this, no matter what neighborhood you're in and you know we just talked about my problem with my 15 neighborhoods and not having money for the neighborhoods, the most important thing you're going to hear, folks, is the message is going to go out loud and clear that we don't give a damn about our neighborhoods because if Shadyside Hospital, which is one of the largest tax bases of our community, is not considerate of this issue, we're saying, Council is saying, we don't give a damn about neighborhoods. Well I give a damn and I'm voting against it.

Mr. Darkins:

Mr. President, I just couldn't sit here and I just couldn't swallow that one statement my colleague, Councilwoman Michelle Madoff made. I personally don't know how the rest of my colleagues feel here on Council, but I have not been strong armed in any way. I haven't been intimidated in any way in regards to my decision that I have made regarding the Shadyside Hospital. I have strong convictions and judgments in regards to this matter and I strongly feel that when we think of it all and Councilwoman Madoff has had here share with the medical profession and she knows that the animosity and things that go on within that profession, and I'm about saving a life. So, I'm voting yes for Shadyside.

The Chair:

I'd like to make a brief comment. First off, I'd like my comments brought forward from last Wednesday's meeting for the Record.

I am voting in favor of this piece of

legislation, as I did last week, because I think it's the right thing to do. I truly believe that there is a medical need for this helistop. However, I must say that this issue has been an extremely difficult issue for every member of Council and the attendance of all of you here today and filling up at least one file drawer of letters and the number of phone calls taken is an indication of that.

I really believe in my heart there are truths on both sides of the issue and I hope that's the way this all ends up today, that there are truths on both sides of the issue and we begin to address those truths.

The public and the neighborhood of Shadyside has certainly indicated that there is a serious noise problem in their neighborhood. I firmly believe in my heart that that noise problem is generated mostly by sources that will be unrelated to the helistop and helicopter. First and foremost, the train that goes through the neighborhood, of which there are at least 50 a day, and I really think that in some way that needs to be addressed.

I also indicated at the public hearing two weeks ago that I think the hospital can do more with sound attenuating equipment, with noise generation sources that are going on on a continuous basis. And I believe they have made a commitment to do that and I would like to see that done.

I would hope that this issue is an issue that all of us can work on together after today. I would hope that it passes. I'm not sure, but I believe it's going to pass. I truly believe that it is good public policy if we can save a life because the life truly could be someone in this room, it could be someone living in this City, it could be a relative, it could be a friend. And as I have indicated before, I'm voting for it because I believe it's the right thing to do.

Mr. Coyne:

Mr. President, on the bill I'd just like to have my comments brought up from Wednesday's meeting.

Mr. Cohen:

I would also like my remarks brought forward on this bill.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 2546 - Wednesday, 7/3/91)

Mr. Wagner:

I will try and summarize my comments here. First off, I will state up front that I really think the debate on this issue has been exceptional in the sense that it has been good and healthy. From an intellectual point of view, I think every issue plus has been put on the table that could possibly be put on the table. Certainly, the public hearing that we had was a very good public hearing. I have reached the conclusion that I am voting for the helistop, and I want to really state my reasons why, some of which I think are practical and some of which are probably personal in a sense in simply my observation when I say that. But no one can deny -- and the point has been made -- that this proposal does comply with the ordinance. And recently St. Margaret's Hospital was in front of this Council for a helistop. They complied with the ordinance and we approved it. We would be contradictory as a legislative body if we would approve one hospital that complies with the ordinance and here comes another hospital that complies with the ordinance and we vote against it. There would be no rationale, no common sense behind us voting it down, versus voting in the affirmative on another situation. Who knows, two, three weeks or months from now, we may have a third hospital helistop, heliport, whatever, in front of this Council and a similar situation. Truly, I think this issue pertaining to the ordinance that we approved back in December of 1990 is a critical one here, because it has also been stated if they comply with the ordinance and this Council does not approve it, this issue will probably go to court. The hospital will win if it complies with the ordinance, and this Council truly would not look as if it is being fair in regard to the legislation that we passed. That is the first issue.

The second issue, and I think truly the most important issue here, is is there a medical need for the helistop. I am no physician, none of us are here at the table. However, we did hear quite a bit of testimony, both pro and con as to whether or not there is a medical need for this helistop, and the point was made in a repetitive sense that Shadyside Hospital is not a trauma center, nor is it a burn center; therefore, there is not as great a need as some hospitals. The point that really has not been brought out, I think, intensively is that the hospital is a cardiac care facility and truly is one of the finest cardiac care facilities in the city, and region and in the state. We had at least 20 doctors testify here at the public hearing indicating the medical need for the helistop, we had

several RN's testify here, some of which have worked on helicopters. A couple that I recall clearly is Dr. Solot, the head of emergency medicine at Shadyside, who clearly indicated that there was a genuine need for this facility to increase the potential of a hospital to save lives. And in addition to him stating that, there was an RN, Denise Ramponi who was brought to the table I believe by Councilman Ricciardi, and she indicated at least one or two instances in the past year where the potential of saving someone's life would have been enhanced if the helistop would have been in existence at Shadyside, versus the person being transported from Presbyterian University in an ambulance rather than by a helicopter.

In addition to that, we had some compassionate testimony by various people, one of which I thought was truly emotional in a sense, someone that we all know and an assistant to Councilman Cohen, J.E. Paisley, and her testimony was very moving, and her stating -- and she is a Shadyside resident -- that this helistop could actually save lives. I am convinced and I know that seconds and minutes count when a person has cardiac arrest. Time is truly of the essence. And the care that that person receives immediately can determine whether or not they live or die, and the quicker you can get that person to the best care facility available, the greater potential they will live.

In my opinion, not only do hospitals need lasers for surgery or modern tools to administer care to the patients, we as a government also have to provide the modern tools by which they can operate. That is really what they are asking us to do, is to permit them to have a modern tool of transportation to permit them to get patients that are in critical need of care. Now, that modern tool is a proven tool, helicopters. They have saved literally thousands upon thousands upon thousands of lives in war and in peace. And it has been proven in a repetitive sense throughout this country they work and they save lives. There is no doubt in my mind that one of these flights a year are going to save someone's life. Truly, the bottom line in voting on this issue, I believe, is do we want to assist in that effort or do we want to let that person die who is in transport in an ambulance? That is really the difference here, is a person transported in an ambulance or is the person transported in a helicopter and significantly cutting the time in the process.

The number of flights per year that the ordinance indicates is the least restrictive for a helistop, 400 or less. A helipad or heliport, we all know the number is far greater. We are approving here, if this passes, the least restrictive helicopter use that a hospital can have, not the most frequent or somewhere in the middle, like Allegheny General Hospital has on the North

Side that has the most flights in the City of Pittsburgh. This hospital is asking for approximately one helicopter flight per day. That is really what it boils down to. I don't think that is significant in terms of exposure to the neighborhood, in terms of negative exposure. When you compare that to the potential of saving a life, I don't think 10 to 20 minutes of 88 decibels, the highest level at a home, is a significant exposure to the neighborhood when you compare it to saving a life.

Is there noise? Yes, I have to admit that. Is there notice of a helicopter flying over? Absolutely. Does that neighborhood have other exposures with a busway? Yes. With trains? Yes. I don't think the helicopter, under the least restrictive situation, is a significant negative exposure to this neighborhood. I don't know of one situation in this city where someone has moved due to a helistop, helipad or heliport, and if there is one, I would like to know about it. I think actually the opposite has occurred. I believe that modern techniques of transportation to save people have actually saved some people in this city, have saved some lives in this city, have kept some residents in this city, literally physically have kept some residents in this city.

I am not going to get into a debate with my colleagues, but to compare this -- I know Councilwoman Madoff said this -- to a tow truck going after cars that are wrecked, I don't think is a good comparison. I don't know of a helicopter use as being ambulance chasers to the scene of an accident. They are highly sophisticated pieces of equipment to treat patients, and they are utilized, I believe, in a proper situation, and I believe they will be here in a very restrictive sense. Therefore, I am voting in the affirmative on this ordinance.

(End of remarks.)

(Transcribed by Helen L. Kriebel)

(MR. COYNE'S COMMENTS ON BILL NO. 2546 - Wednesday, 7/3/91)

Mr. Coyne:

Mr. Chairman, members of Council, during my tenure on this Council I have seen many, many controversial issues brought to this table. In the past, each of us has weighed these merits on the issues and cast our votes. However, I do not recall an issue on which the arguments were so strong on both sides. Those opposed to the helistop and those in favor addressed the issue of noise, safety, quality of life and necessity or lack thereof for the helistop. We heard very emotional testimony on both sides concerning how dramatically the noise of this facility will affect the quality of life in Shadyside. Some residents feel this will so adversely affect their neighborhood, that the helistop would cause Shadysiders to move to the greener pastures of the suburbs. Other residents testified that the helicopter traffic would have little, if any, effect on the quality of their life and that the value of human life should take precedent over some noise discomfort.

The emotional and articulate testimony left me at a true dilemma in the formulation of my opinion on this issue. However, in addition to the testimony of the residents in the area and the doctors at the hospital, we heard some solid facts on this proposal. A representative of the FAA called Shadyside "an excellent site" for this type of project and said it was probably the safest site in the area. It was pointed out that helicopters now have two engines, which now increases the safety factor. But, in my opinion, the most important fact -- and in this I disagree with Mr. Cohen -- is the fact that the proposed helicopter stop complies with all current laws and regulations. This Council, after months of input of planners, of community members and technical staff, passed an ordinance regulating helicopters and landing facilities in this city. This proposal meets all those requirements, and I have yet to see anything disputing that fact. To vote "No" on this bill today would, in my opinion, render the helicopter ordinance, which we recently passed, idle. I am not willing to do that, and I will be voting in favor of the helistop.

(End of remarks.)

(Transcribed by Helen L. Kriebel)

(MR. COHEN'S COMMENTS ON BILL NO. 2546 - Wednesday, 7/3/91)

Mr. Cohen:

Mr. Chairman, I think we witnessed a very impressive hearing on Thursday, that it may or may not have been the longest public hearing that City Council has had, but it certainly was one of the most articulate. I also want to take this moment to thank my colleagues for staying for nearly eight hours that the hearing lasted on Thursday.

I know that everyone knows what my position is on this issue of the Shadyside helistop, but I want to take a moment to explain how I arrived at that position.

Let me begin by saying that I think Shadyside Hospital is a fine hospital, one of the best in the commonwealth. But let me address an issue that has been brought to me in my discussion with other Councilmembers over the last few days, and that is the fact that the helistop appears to conform with the city's heliport legislation. My view of that is that it is an irrelevant question before this Council. First of all, that legislation is fatally flawed, and I think the people who opposed the helistop made it quite clear how it is fatally flawed; because it does not conform with federal guidelines. Briefly put, the Environmental Protection Agency has a guideline of 55 DB's over an LDN period that was discussed at the public hearing, HUD has a 65 DB level, and the City of Pittsburgh has a 75 DB level. So it is not in conformity with federal standards.

Our job, though, isn't to determine whether or not this is legal under the statute. Even if it were legal under the statute, our determination has to be whether or not it is right, whether it is good public policy, and whether it is good for Pittsburgh. Many things are legal under the Pittsburgh Code, but we would never vote for them. Just this morning we had a press conference about a hazardous waste incinerator. Now, under the Pittsburgh Zoning Code, a hazardous waste incinerator would be allowed in some of our neighborhoods, but as environmentalists, all of us, I am certain we would not vote for that.

Because I represent Shadyside on this Council, and I am very proud of it, I have worked on this issue for over eight months. I have met with both sides many times, I have talked to numerous doctors, including Shadyside Hospital doctors, engineers, government aviation and noise experts and many of the neighbors. I have read numerous articles on this subject, medical articles that I could understand about every fifth word or so, but I found doctors who could explain to me what those words mean, not to mention hundreds and hundreds of letters that

we received. I also visited Allegheny General Hospital and stood on their heliport or near their heliport while helicopters came in and out and found out how extremely loud those helicopters are. After all this, I am convinced that this helistop with not be good for Shadyside and would not be good for the City of Pittsburgh.

In balancing, and we all have a balancing act to do, but in balancing the hospital's need for the helistop against the decrease and the quality of life in the neighborhood, the quality of life issue, in my view, prevails. We have heard alot about medical need, and it is difficult sometimes to sort out fact from fiction, to sort out reason from emotion. But here are the facts: Shadyside Hospital will not use this helistop to transport emergency patients, that is a fact. Shadyside Hospital does not have a trauma center, it does not have a burn unit. Rather, these are stablized patients who will be coming in from other hospitals; Secondly, Shadyside Hospital does not have any specialty, any special operation that they perform, medical operation, that no other hospital in the city performs, except for an orthopedic operation. You recall at the public hearing when I asked Dr. Solot, who I have respect for, what specialty Shadyside Hospital has that is different from other hospitals, and the best he could come up with was an orthopedic practice. Orthopedics are not emergency procedures.

This helistop would, if we approved it, provide a duplication of services that are available from other hospitals. Shadyside Hospital is clearly doing this, in my view, to increase the number of patients coming to the hospital. Now, the hospital says "No." They say that last year they transported 179 patients by helicopter via Children's Hospital, and they say they have no plans to increase that number. But when at the public hearing I asked if they would agree to a conditional upper limit of 250 flights, which, by the way, is a 40 percent increase over the number of flights they had last year, the hospital said "No," they prefer to stick with the 400 flights, 123 percent increase over last year, authorized by the Planning Commission. Why? Because, after all, who can predict the future?

Mr. Chairman let me predict the future. If Shadyside Hospital is permitted to have this helistop, it will be up to 400 flights a year before you and I can say balloon angioplasty.

The final straw, in my view, is that on the question of medical need is the fact that there is a helipad only 2400 feet from the proposed Shadyside Hospital helistop. West Penn Hospital is literally three minutes or less by ambulance, so why has Shadyside Hospital by using Children's Hospital's helipad, which is much farther away? There can only be one possible

explanation, and that explanation is this: Shadyside Hospital competes with West Penn Hospital, it does not compete with Children's Hospital. When I asked the President of Shadyside Hospital six months ago in a public forum if they ever contacted West Penn Hospital to negotiate use of their helipad, he said. "No." They still haven't, six months later, Mr. Chair, even though it clearly, clearly, would decrease the amount of time to transport these patients.

Do we need any other evidence that the need that the hospital expresses is not a medical need, it is an economic need? The helistop would, in effect, be a marketing tool for the hospital for their own economic development. Now, there is nothing wrong with economic development; it is a very important policy goal of city government, it is a very important policy goal of this Council. Each and every one of us are constantly trying to bring new business to the city. I agree with those people who say the economic future of the City of Pittsburgh lies with the universities and with the hospitals, including Shadyside Hospital. But -- and this is a very big "but" -- there is something more important than economic development, and that is the most valuable resource the City of Pittsburgh has: That is its people and its neighborhoods. No one doubts here that the helistop would have a detrimental effect on the neighborhood. It will affect the quality of life in Shadyside, and it is preserving that quality of life that has to be, in my view, the singular most important goal of city government. Pittsburgh has literally lost one-half of its population in the last 35 years because quality of life has been undermined; 53,000 people in the last ten years. There were people who testified at Thursday's hearing that they would leave the City of Pittsburgh because of the added burden that this helistop would add. I know other people who would do the same because of what it does to our quality of life there. I, as one Council person, cannot support something that I know will undermine the quality of life without a clear countervailing need. We cannot afford to lose any more of our residents, or we will continue to lose the life blood of the City of Pittsburgh so that ultimately, ultimately, this patient, called "the City of Pittsburgh" will not survive.

Thank you, Mr. Chairman.

(End of remarks.)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 5 NOES 4

VOTING NO:

Mr. Cohen	Mr. Milliones
Michelle Madoff	Mr. Regan

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 2891

Report of the Committee on Engineering and Construction for July 3, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2809

A Resolution entitled, "Resolution Repealing Resolution No. 114, approved March 16, 1989, entitled, 'A Resolution providing for an agreement or agreements with a consultant or

consultants for a Feasibility Study of a Replacement Bridge at Ellsworth Avenue and Ravenna Street over the Martin Luther King Busway for vehicular and pedestrian travel; and providing for the payment of the cost thereof."
—(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 2800

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction to execute a license agreement with the CSX Transportation, Inc. and The Pittsburgh Water and Sewer Authority in connection with the construction of a large diameter Relief Sewer."

Which was read.

Also,

Bill No. 2801

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by providing 1991 funding for EC 506 (EMS #2)."

Which was read.

Also,

Bill No. 2638

A Resolution entitled, "Resolution further amending Resolution 1049, effective January 1, 1989, as amended, entitled 'Resolution adopting

and approving the 1989 Capital Budget and the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program' by increasing line item EC 89-11, Audible Traffic Signals, by \$26,000 from \$20,000 to \$46,000."
--(SPONSORED BY MR. COHEN)

Which was read.

Mr. Cohen:

I'd like my remarks brought forward on Bill 2638, please.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 2638 - Wednesday, 7/3/91)

Mr. Cohen:

Thank you. This bill is for audible traffic signals for the blind. We had a public hearing on this last week. I want to thank the Councilmembers who attended that, and also thank Mr. Reginella in particular for committing to a schedule. I believe that schedule is the intersection of Baum and Craig will be completed by the middle of August, that the intersection of Centre and Craig will be completed within 120 days, and the intersection of Forbes and Craig be completed by April of 1992. I can tell you that the community there, the blind and visually impaired and the elderly who live in that community, are very happy about this. I think this is a really important thing the city is doing. Thank you.

(End of remarks.)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I don't know whether it will pass; if it doesn't, we'll do it out of our own office or with those members who wish to have it happen. But I think it's imperative that we contact the Administration in a formal letter asking that they review the entire helicopter situation in the community. The 40th largest city, second largest number of helicopters, and I will tell you that one of the things I missed saying and I wish I had, I'll say it now, is that I had advised the group to take the sound level that they had here of the helicopter or rent a helicopter and take it over those Members of Council who didn't think that it really was a disturbance or it upsets the community. I hope they do that.

I think the issue is one that if we let our

communities go down the tubes, there won't be any money for the other communities. It's a very serious problem. It's much broader than who should get a helicopter.

And I would make that in the form of a motion, that we contact the Administration to look into what I have discussed with them, the issue, and report back to us whether they're planning to have a helicopter landing site on the river that would disperse patients to all hospitals. I'd like to know the status and whether that could encompass saving the number of flights going into the City. I make that in the form of a motion.

The Chair:

Is there a second on a communication from Council as to the status of the central heliport for the City of Pittsburgh?

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. Chairman, on an unrelated issue. As we know, last year Council approved close to \$2 million for the Administration to purchase fire trucks, pumper trucks. They spent close to \$1,962,000 for those pumper trucks. There are significant problems associated with those trucks at this time. In fact, we received those trucks in February; they failed to pass the acceptance test and unfortunately are not able to be used by the Fire Bureau.

I would respectfully request that we communicate to the Administration and ask them for a written report regarding the status of this situation.

Thank you.

Mr. Regan:

Mr. President, I'd like to welcome this young lady here. I don't know that I have ever seen her here. I believe you're with the media?

The Chair:

She's with my staff.

Mr. Regan:

You're with Mr. Wagner? Man alive, then I really welcome you. He's the President of Council.

The Chair:

Thank you, Mr. Regan.

Mr. Cohen moved to approve the Minutes of Tuesday, July 2, 1991.

Mr. Millions seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, July 16, 1991

No. 29

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, July 16, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT:

MICHELLE MADOFF

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen presented

No. 2897 Resolution providing for a Cooperation Agreement or Agreements with the Western Pennsylvania Conservancy for the purpose of landscaping the large island at Stanwix Street and Liberty Avenue at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account EC 91-503.

Also,

No. 2898 Resolution providing for an Agreement or Agreements, or use of existing Agreements, for architectural/engineering services in connection with the design of a new moving walkway from the Zoo Parking Lot to the Main Entrance at a cost range of \$100,000.00 or more, but less than \$250,000.00, chargeable to and payable from Code Account EC 91-98.

Also,

No. 2899 Resolution amending Res. No. 918, eff. August 30, 1990, entitled, 'Providing for a contract or contracts, or use of existing contracts, for Renovations to the Dept. of Parks and Recreation Warehouse and Shop; and providing for the payment of the cost therefore,' by amending the title to include the Purchase of Equipment. At a cost of \$250,000.00 or more but less than \$280,000.00.

Also,

No. 2900 Resolution further amending Resolution No. 1415, eff. January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by providing 1991 funding for EC 91-98, Zoo Master Plan Implementation. This amendment will provide authorization for architectural/engineering design of a new moving walkway from the Zoo Parking Lot to the Main Entrance.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 2901 Resolution approving the membership of the City of Duquesne to the Steel Valley Authority pursuant to the Municipal Authorities Act of 1945. --(SPONSORED BY MR. COYNE)

Which was read and referred to the Committee on Finance.

Also,

No. 2902 Resolution further amending Resolution No. 507, effective May 30, 1991, entitled, "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program," by reprogramming funds in the aggregate amount of \$11,111 under City Council line items. --(SPONSORED BY MR. COYNE)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2903 Resolution providing for an Agreement or Agreements, or the use of existing Agreements for Accessibility Evaluation/Audit of City of Pittsburgh owned property at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1128, Misc. Services, Dept. of General Services.

Also,

No. 2904 Resolution providing for the letting of contracts and use of existing contracts for the materials, general supplies, and equipment whose estimated cost will be in excess of \$10,000.00 and to purchase without advertisement, such as materials, general supplies, equipment and machinery whose estimated costs will be less than \$10,000.00, as required by the several departments of the City of Pittsburgh. All contracts entered into pursuant hereto shall provide that the City of Pittsburgh shall have the right to terminate said contracts as of December 31, 1992, in the event funds are not appropriated for the continuation of said contracts in any succeeding calendar year.

Also,

No. 2905 Resolution providing for the letting, during the calendar year 1992 to invite proposals and to award a contract or contracts, or to exercise against existing contracts, for the maintenance, repair, rental, rehabilitation,

renovation, inspection or servicing, including the furnishing of labor and materials necessary thereof, of personal property bonding, insurance, printing and other related services and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments owned and controlled by the City of Pittsburgh, all in accordance with the laws and ordinances governing said City. The City of Pittsburgh shall have the right to terminate contracts as of December 31, 1992 in the event funds are not appropriated for the continuation of said contracts in any succeeding calendar year. The costs shall be payable from funds appropriated therefore to the various departments of the City of Pittsburgh, and the Mayor is authorized to issue, and the City Controller to countersign warrants on said funds in payment thereof.

Which were severally read and referred to the Committee on General Services.

Mr. Darkins presented

No. 2906 Resolution vacating 38th Street beginning at a point on the Southwest corner of 38th Street N 15 degrees 52' E a distance of 40 ft. to a point, thence N 42 degrees 21' 30" W a distance of 250 ft. more or less to a point, thence S 33 degrees 31' 20" W a distance of 40 ft. to a point, thence S 42 degrees 21' 30" E a distance of 260 ft more or less to a point at the place of beginning and 39th Street beginning at a point on the Southwest corner of 39th Street, thence N 43 degrees 39' 34" W a distance of 290 ft more or less to a point, thence S 32 degrees 16' 16" W a distance of 60 ft. to a point, thence S 43 degrees 39' 34" E a distance of 360 ft. more or less to a point, thence S 21 degrees 32' 16" W a distance of 60 ft. to place of beginning in the 6th Ward, 7th Voting District of the City of Pittsburgh, reserving sewer lines and water line located therein. This petitioners, Urban Redevelopment Authority of Pittsburgh, 200

Ross Street, Pgh., PA 15219, Attn: Jerome DeHore have requested this vacation for development purposes.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2907 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the Syria Mosque more particularly located at 4423 Bigelow Boulevard and including all of the property designated as Block and Lot Number 27-L-212 and located in the 4th Ward, City of Pittsburgh.

Also,

No. 2908 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances, those certain structures known as 901-911 Bingham Street, including all property designated as Block and Lot Number 3-G-246, located in the 17th Ward, City of Pittsburgh.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 2909 Resolution amending Res. No. 538, eff. June 5, 1991, entitled "Providing for an

Agreement or Agreements with Pittsburgh Action Against Rape to provide counseling and information for women experiencing domestic violence problems, so as to increase the amount appropriated from \$3,000.00 to \$23,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, City Council, "Pittsburgh Action Against Rape".

Also,

No. 2910 Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$605,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program - Department of City Planning - "Community Based Organizations".

Also,

No. 2911 Resolution providing for an Agreement or Agreements with the Community Housing Resource Board for operational/administrative support, at a cost not to exceed \$50,000.00, chargeable to and payable from the 1991 Community Development Block Grant Program, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 2912 Resolution providing for the issuance of a \$863.05 warrant in favor of Frank Popovich for automobile damage to his 1987 Chevrolet Sedan, which was struck by a City of Pittsburgh fire engine on April 2, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 2913 Resolution transferring the aggregate sum of \$11,000.00; \$5,000.00 from Code Account 51, Postage, and \$6,000.00 from Code Account 1051, Equipment, to Code Account 1046-1, Premium Pay, Office of the City Controller. The transfer will provide sufficient funds to cover current and future expenditures for the remainder of 1991.

Also,

No. 2914 Resolution authorizing the City to enter into an agreement or agreements with the Union National Bank of Pittsburgh (the "Bank") to serve as the successor trustee for the Worker's Compensation Reserve Trust (the "Trust"), authorizing the payment of compensation to the Bank from the corpus of the Trust, authorizing the City to enter into a release and indemnity agreement with the Bank, and authorizing the City Controller to transfer to the Trust such funds as may be necessary to adequately fund the reserves. The City Controller is hereby authorized to transfer from Code Account No. 44, to the Trust such funds as may be periodically required.

Also,

No. 2915 Resolution authorizing the Mayor and the Director of Finance to enter into a Cooperation Agreement, in form approved by the City Solicitor, to provide for the payment by the County of Allegheny to the Public Auditorium Authority of certain revenues available for regional tourist promotion activities pursuant to the Hotel Tax enabling statute, 16 P.S. 4970.2.

Also,

No. 2916 Resolution authorizing the Mayor, the Director of Finance and the Director of General Services to enter into an Agreement,

in form approved by the City Solicitor, to amend a Supplemental Agreement dated July 5, 1978, which supplemented an agreement of May 13, 1915, which provided for the lease of the Sixth Floor of the City-County Building to the County of Allegheny by extending the term to a date not later than April 5, 1993 and changing the rent to the annual amount of \$240,000.00.

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 2917 Resolution authorizing the issuance of a warrant in favor of Honeywell Protection Services in the amount of \$1,880.00 in payment for the installation of fire and furnace alarms in The Tropical Forest building at The Pittsburgh Zoo, payable from Code Account 1852, Misc. Services, Dept. of Parks and Recreation, The Pittsburgh Zoo.

Also,

No. 2918 Resolution authorizing the issuance of a warrant in favor of Steed Audio, Inc., in the amount of \$1,125.00 in payment for sound reinforcement service at Point State Park, chargeable to and payable from Code Account 1837, City-Wide Events, Dept. of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 2919 An Ordinance creating Chapter 535, "Neighborhood Traffic Safety" by prohibiting the repetitive unnecessary driving of motor vehicles, also known as cruising, in a designated area of the City of Pittsburgh; defining cruising; establishing a designated area; and providing a penalty for violation.

---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Safety.

Also,

No. 2920 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in conjunction with the Dept. of Parks and Recreation, Special Events and Cultural Affairs 1991 Great Race/Finish Line Services, at a cost not to exceed \$19,600.00, chargeable to and payable from the Special Parks Program Trust Fund, Dept. of Parks and Recreation.

Also,

No. 2921 Resolution authorizing a lease with the Pittsburgh Ballet Theatre for a portion of real property designated as Block and Lot 25-G-244 located on Liberty Avenue between 29th and 30th Streets, 6th Ward, Pittsburgh, Allegheny County, Pennsylvania of what is commonly referred to as Denny Park. The property is to be used as a parking facility relating solely to ballet purposes. The lease shall be for a term of fifteen (15) years.

Which were read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 2922 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of the Department of General Services Warehouse Inventory as of April 15, 1991.

Also,

No. 2923 Communication from Ronald A. Mussman, Comptroller, Allegheny County

Sanitary Authority, submitting a list of personnel as of June 30, 1991.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 2924

Report of the Committee on Finance for July 10, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2826

A Resolution entitled, "Resolution transferring \$2,000.00 from Code Account 1490, Equipment, Index Code #149005 to Code Account 1488, Repairs, Index Code #148809, both accounts in the Department of Engineering and Construction."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo

Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2827

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of So-Deep, Inc., a sub-surface utility engineering company, in the amount of 44,706.35 for locating existing underground utilities in connection with the Grant/Liberty Reconstruction, Phase 3 and 5; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2864

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 2925

Report of the Committee on Planning, Housing and Development for July 10, 1991 transmitting

sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2810

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the 'Community and Social Services Programs in Public Housing Communities' and the 'Rehabilitation and Modernization of Housing for Low and Moderate Income Persons' program (HA-345) at a cost not to exceed \$1,250,000.00, chargeable to and payable from the 1991 CDBG Program - Housing Authority (HA-345) 'Rehabilitation and Modernization of Housing for Low and Moderate Income Persons' Project #4-65-01-0001-91-380-91-65, Index #604033." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2811

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the 'Community and Social Service Programs in Public Housing Communities' (HA-459) at a cost not to exceed \$300,000.00, chargeable to and payable from the 1991 CDBG Program - Housing Authority (HA-459) 'Community and Social Services Programs in Public Housing Communities' Project #4-65-01-002-91-410-91-65, Index #604082." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2831

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Department of Engineering & Construction, City of Pittsburgh, for authorization to construct a one-story Emergency Medical Services Facility building with an eight stall accessory parking area located at 430 MATHEWS STREET, on property zoned 'R2' Two-Family Residence District, 30th Ward."

Which was read.

Also,

Bill No. 2833

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (PARKING)."

Which was read.

Also,

Bill No. 2834

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire properties, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2835

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire properties, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2836

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the public-owned properties in the City of Pittsburgh, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2837

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS/REAR YARDS)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 2926

Report of the Committee on Engineering and Construction for July 10, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2828

A Resolution entitled, "Resolution to provide a certification required by the Pennsylvania Department of Community Affairs in order to close out the Bloomfield Recreation Facility Project."

Which was read.

Also,

Bill No. 2829

A Resolution entitled, "Resolution to provide a certification required by the Pennsylvania Department of Community Affairs in order to close out the Tropical Forest Exhibitry, Phase 4.03 Project."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. Chairman, a couple of things. First of all, in regards to the two bills that were submitted today requesting a public hearing, one was on the Syria Mosque and the other was on the South

Bingham Street properties, I just want to explain to my colleagues that at the request of the Solicitor the Administration has requested that we introduce the bill to hold the public hearing, hold the public hearing as expeditiously as possible, and prior to the time that the President sets that hearing and prior to the time that we actually hold the hearing, we will have an actual recommendation, pro or con, from the Historical Review Commission.

This is being done in light of the Supreme Court's ruling regarding the Historical Designation process. So, I just wanted to clarify that.

But, on the issue itself, I would like to suggest to our President that you convene a meeting with the Administration and the Solicitor regarding the whole issue of the Historical Review process and our very ordinance, our Historical Designation ordinance, in light of the Supreme Court ruling, not only because it affects directly the two bills that are presently in the hopper, but it's a fundamental, as far as I'm concerned, a devastation of the ordinance as it's in place.

I think we need to talk with the Administration on their actual assessment of the Supreme Court ruling, what does that mean relative to our own ordinance. And further, in a more progressive way, what is it that we can do affirmatively regarding Historical Designation in the City in light of that ruling.

So, I'd like to ask that we have that type of interaction meeting with the Administration.

The Chair:

Are you requesting that before the public hearings or before the vote on the issues?

Mr. Ferlo:

Not necessarily in conjunction to the public hearings. I'm saying in light of the ruling, our whole ordinance is in question. Between now and the Fall, I think we need to have a discussion with the Administration, with the leadership of the HRC on the whole problem that has arisen.

Mr. Cohen:

Mr. President, I whole heartedly agree with Councilman Ferlo. I think we should also ask, either at this point or then, for an opinion from the Law Department on how that ruling is going to affect our Historic Preservation law.

I agree. It's a very, very disturbing decision and the Supreme Court has basically said that there can be no Historic Designation without the consent of the property owner. That could well undermine the entire Historic Designation effort here in Pittsburgh. It's a very disturbing decision and I think we need to regroup and see how it really will affect us.

Mr. Ferlo:

On a separate issue. Mr. Cohen has reminded me that it has been some time now since the Administration had submitted nominees for the Planning Commission. I meant to raise this under Old Business and I forgot. It has been some time but I think we need to regroup. I thought that our request was that the Administration spokesperson appear at a Wednesday session to discuss the policy of the appointments. If the President could advise the body as to where we're at on that.

The Chair:

I have personally discussed that with Mr. Mistick and he has informed me that he is

presently considering coming in front of Council. And I suggested to him that it would be best for everyone to have a good open discussion on the issue.

Mr. Ferlo:

So we can anticipate at some point that it will be a dialogue.

On an unrelated matter in relation to the train derailment yesterday which actually took place in the 6th Ward, not in Bloomfield, the 8th Ward. But that's a small point.

Mr. Chairman, we need to really have a report from Director Cannon of Public Safety on the incident. Obviously, a lot of information is not known yet about the incident but, as Mr. Mistick reported in the paper, it is awfully uncomfortable and coincidental that it happened basically in the same place two years ago.

We are all very fortunate and very lucky. The residents were certainly lucky and Conrail is very lucky and our City is very lucky that they were basically some empty trucks out there on the cars. I was out there yesterday looking at it and I guess what I'm concerned about is that I really don't trust Conrail to give us an independent assessment of the condition of the track.

I would like to formally ask that we communicate to the Administration our desire to have an independent evaluation of the condition of the track.

I guess what I'm saying is that I don't trust Conrail. The incident occurred a couple of years ago. I don't know if there were additional postings in the area regarding speed limits. I don't know if there was an accurate assessment of the condition of the track regarding its maintenance, and I think we're owed an independent evaluation. It may be able to be done in-house by

Engineering and Construction; I don't know.

In any event, it's too critical an issue. It looks like another accident might happen sometime in the future. And, Mr. President, as you mentioned in relation to the Shadyside vote, the number of trains that pass down these tracks on a daily basis, and I believe more than half of them I heard have some form of low-level or toxic materials on their cars, it's only a matter of time before we have another major incident.

So, I guess in the form of a motion, I'm asking that we communicate to the Administration asking for a formal report when all the facts are in. And secondly, I'm asking that we ask that there be an independent evaluation of the condition of the track. I'm asking that in the form of a motion.

Mr. Milliones seconded the motion.

Mr. Regan:

I'd like to add to what Councilman Ferlo said. This is the reason that I called a press conference on the tracks at the Clark Candy Curb on the North Side. I absolutely resent the arrogance of some people regarding something like a train derailment when it comes to a big city like Pittsburgh and some of the materials that are coming through our City.

They said that it was strictly political and that we knew this and knew that, but all of a sudden, about two weeks later, about 50 people showed up and put new tracks in, new rails, new spikes, new everything. I mean, it was in terrible condition and they showed an arrogance — In this day and age, this is the 90s. You know, we can't come through with the type of materials they're bringing through the City and not have the rails in good shape.

There are three derailments in that one

neighborhood. Something has to be done there. It just can't happen again because somebody is going to get hurt, some people are going to die, and it's too late then.

So, I go along with Councilman Ferlo and we should make sure that they have rules to abide by.

Mr. Ferlo:

Just another footnote. In the time that I was out there yesterday afternoon, roughly between 5:00 and 6:00, there must have been 50 people working. Apparently Conrail has an independent contractor that is charged with the clean-up and the relocation of the cars. But I would say there's at least 50 people working in very precarious positions. If you saw them, the cars, they were obviously tipped over and at any point they probably could have tipped over further down into a landslide. But the time that I was there, there was nobody from the Public Safety Department on the scene. With 50 workers working in the construction crew there, there was no ambulance nearby. I couldn't believe when I got there that nobody from Public Safety was there and there wasn't even an EMS vehicle stationed there.

These people were working in a very unusual work situation. It wasn't like a normal course, taking down a building or building a construction project. You get some appreciation with the pictures in today's paper and the TV news yesterday, but these cars were definitely in a precarious position. There was no EMS vehicle, which I think should have been stationed there. And secondly, there was no Public Safety official on site. It's like, oh, we had this incident, no problem; Conrail is in charge and they'll take care of it.

We fund this big bureaucracy of the Public Safety Department. I don't understand

why someone wasn't out there to oversee and to be involved in this process.

Mr. Regan:

Could I add to that, Mr. President? If you would check and see how many inspectors they have that inspect these rails, it's almost impossible to be able to do a good job. I was told that I guess on the end, in the caboose they must have a control there that tells you, a computer, when something isn't right. They told me that the computer said that everything was okay and I told them that the computer must need glasses because if you saw what I saw over on the North Side, it was unbelievable.

The Chair:

In regard to the motion, there is a motion on the floor to request information from the Administration in regard to the accident and the track situation.

Mr. Ferlo:

The motion also is to ask that there be an independent evaluation by the City of the condition of the track. It could be that possibly they could do it in-house. There are a number of professionals in the Department of Engineering and Construction. Or they might have to hire somebody. But I don't trust Conrail.

The Chair:

Plus, I think we need to get information, if I may add to your motion, as to the number of trains coming through this City and what percent or what number of those trains are carrying hazardous materials. Are they traveling that main route or is Conrail and our other railroad companies diverting those hazardous loads around the City rather than coming straight through the City.

That, really, I think, is an important issue here because that train yesterday had hazardous chemicals on it, it's just that they were not in the area where the train derailed, fortunately.

Mr. Ferlo:

Right, and to add to that, Mr. Chairman, I don't think the once a month, supposedly, if that is the case, VASCAR noting of the speed of the trains is sufficient. I think given this incident there has got to be more regular and rigorous noting of the speed of these trains, more than just once a month.

The Chair:

Why don't we, in addition to a letter, have a meeting with the Administration? Have a post agenda on the issue and discuss a multitude of issues dealing with trains coming through the City.

Mr. Ferlo:

I think we should invite some of these Conrail characters to the meeting also.

Mr. Ricciardi:

Same issue. As you said, it's multifaceted. I think it's very important that our Public Safety Department is aware of what kind of cargo is being carried on these trains. So, as Mr. Ferlo said, we could work in coordination with Conrail so if there is an accident, our Public Safety Department knows what type of manpower and what type of equipment to send out to the site.

The Chair:

Good point.

Mr. Regan:

I just wanted to say, like the Councilman said, bring the Conrail people to the table because we're talking about diverting it around the City. So what are we going to do? Lay it on the suburbanites? Because I know Mr. Ferlo is a big fan of the suburbanites, so we want to protect them too. We want to make sure that Conrail comes in and protects and takes care of all the tracks, not just the City tracks.

It's just a shame because they're deteriorating to the point where there's going to be a lot more accidents if something isn't done.

The Chair:

Yesterday I was at the site also and I asked the Conrail people where the trains are going while you're cleaning up. They said they were re-routing them around the City. I said, why don't you do that all the time, particularly if there is hazardous materials on them.

Mr. Regan:

But what I'm saying, do you want the hazardous materials to go through the suburbs?

The Chair:

I'd like to see them go through less populated areas. And just as tractor-trailers are diverted around the Squirrel Hill Tunnels and the Fort Pitt Tunnels that have hazardous materials, the same should happen with the trains, I think.

This whole discussion needs to be put out openly, really.

So, there's a motion on the floor. All those in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Milliones moved to excuse **Michelle Madoff** for absence from the meeting.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milliones**

Council adjourned.

MUNICIPAL RECORD

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No. 30

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, July 23, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT:

MICHELLE MADOFF

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ferlo:

I'd like Dr. Effort to come forward from the Pennsylvania Dental Association.

Mr. Ferlo presents

No. 2968 WHEREAS, those Pennsylvania residents who are entitled to Medicaid benefits are currently experiencing limited access to care for dental and medical services; and

WHEREAS, the lack of access to dental, hospital, physician, optometric, clinical and other health care services for Medicaid patients is due to the outdated, inadequate reimbursement fees which have resulted in many health care providers being financially unable to treat Medicaid patients and therefore are unable to accept new Medical Assistance patients and/or have had to terminate participation entirely; and

WHEREAS, increasing overhead expenses and inflationary factors, in conjunction with the lack of a nominal increase in reimbursement levels, have eroded Medical Assistance provider fees to between 30% and 40% of the statewide reported average; and

WHEREAS, health care providers have collectively addressed the access to care problem for the sake of their patients and the Medicaid program; and

WHEREAS, health care providers have proposed the Access to Primary Health Care Initiative of 1991 which would raise medical Assistance outpatient payments to 60% of the statewide average charge for all providers, and

WHEREAS, the entire proposal would cost approximately \$330 million and would be funded by \$82.5 million in state funds that would draw \$76 million in federal matching funds and a voluntary hospital pool contribution that would draw \$171.5 million in federal matching funds.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges the State Assembly to include in the 1991-1992 State Budget, the Access to Primary Health Care Initiative of 1991 set forth by the collective body of health care providers, to address the problem of access to primary health care for Medicaid recipients.

Mr. Ferlo moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

At this time I'd like to present the proclamation to Dr. Edmund Effort. This is an issue that we dealt with last year, Members of Council. You may remember that we passed a similar resolution.

I just want to say personally that I want to applaud the efforts of Dr. Effort. For effort he gets. He is not only my dentist but Dr. Effort is probably one of the few physicians and dentists in the region that treats a large percentage of Medicaid recipients. He spends a lot of volunteer time in the community. He treats a lot of elderly from the Lemington Home. And it's

rare, unfortunately, because of the reimbursement rates that you will get health care providers that will actually extend health care to low income recipients.

What's so novel and unique about this primary health care initiative is the pooling of the money from the private sector will kick in a large sum of money from the federal government. And I think it's a shame that our State Legislature seems to be too busy fighting the good battle and I hope that in the midst of that battle, when they settle on a budget, that they will actually include this initiative. It's a very unique way to begin to deal with the problem.

I'd like to introduce Dr. Effort, please.

Dr. Effort:

First, I want to give my thanks again to Councilman Jim Ferlo. He has been a key person in recognizing the health care delivery to the indigent in our State, as well as in the City of Pittsburgh. We started this back last year when I came before you and Councilman Ferlo was very kind to allow me to present the problem to you and this great City Council gave its blessings to it.

That proclamation was taken to Harrisburg, as will this proclamation be taken to Harrisburg, and be given to those Legislators who are taking too much time fighting over non-issues, and deal with the issues that are very, very serious with this health care crisis.

I want to thank my good friend, Councilman Jake Milliones and the good Bishop Darkins, as well, because they have always been supportive of this. Even though they're not my City Councilmen per se, they are my good friends and I want to make sure that they get credit for participating in this Initiative.

Also, I do owe some thanks to some other

people. The President of the Hospital Council is John Russell. He won't be here, of course, but it was the Hospital Association and, as you know, we have a lot of large hospitals here in Pittsburgh who, by their Charter and by their dedication, treat a lot of welfare. And it was the Hospital Association who led to this Primary Health Care Initiative of 1991. And it was signed on by the Medical Society, Dental Society, Optometric Association, the Home Health Agencies and the Dental Society. So, as it turns out, you have a dentist who is doing all the work for everybody else to come forward and present this proclamation to you, but I feel proud and I feel honored that I have been given the opportunity to do so. And without belaboring the point, the proclamation says it all.

I will be going to Harrisburg to present this to the leaders of the Budget. Hopefully we will have some success in this and hopefully we will get on with the larger issue of treating everyone in the Commonwealth of Pennsylvania.

Thank you for your time.

The Chair presents

No. 2969 WHEREAS, on July 13, 1991 dedication ceremonies were held for the most spectacular American Flag display in the South Hills; and

WHEREAS, the American Flag flies high and proud at the John Varney Tire and Auto Center, 2400 Brownsville Road in the Carrick neighborhood; and

WHEREAS, the dedication was attended by the Varney family, employees at the John Varney Tire and Auto Center, various veteran organizations in the South Hills and neighbors from the Carrick community; and

WHEREAS, the American Flag, flying high and proud, symbolizes the contributions many have made to their country and community, especially Arthur D. Varney. Mr. Varney, a lover of baseball, initiated the American Legion Youth Baseball Program thirty years ago to help young people in the neighborhood of Carrick and Brentwood through the American Legion Post 725. The program continues today to be a source of pride for the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends John Varney for his patriotic contribution to the Carrick community, the South Hills and the entire City of Pittsburgh with the installation of "Old Glory" as a remembrance to Arthur D. Varney and all citizens that contribute to our community and great country.

Mr. Milliones moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair presents

No. 2970 WHEREAS, the Omiya City Council, based in Japan, has diligently worked with the City of Pittsburgh over the past decade to establish a relationship between the two cities which promotes cultural awareness; and

WHEREAS, the Omiya City Council has strived to elevate an understanding between the people of the two cities in an effort to increase their knowledge and ability to cope with our complex world; and

WHEREAS, the City of Pittsburgh is proud to acknowledge the patience and profound interest displayed by our Japanese visitors to

spread international cultural awareness throughout the world; and

WHEREAS, during July 1990, the City of Pittsburgh was honored to host the Omiya education delegation during their five-day visit to the area.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and commends Mr. Eiji Saito and the Omiya City Council for their accomplishments and esteemed leadership over the past decade in bringing the two cities together.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh extends a hearty invitation to the Omiya City Council to return to our humble City and requests that the Omiya City Council spread Pittsburgh's goodwill throughout their city and their country.

Mr. Milliones moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair presents

No. 2971 WHEREAS, Soldiers and Sailors Memorial Hall of Allegheny County will hold the Hall of Valor induction ceremonies on Thursday, July 18, 1991; and

WHEREAS, the Hall of Valor is dedicated to those who have received awards for heroism while serving in the Armed Forces of the United States, with representation limited to veterans from Allegheny County; and

WHEREAS, Mr. Frederic B. Sargent, a First Lieutenant in the United States Army who was awarded the Silver Star for exemplary

service in the Vietnam conflict, will be inducted into the Hall of Valor on July 18, 1991 at Soldiers and Sailors Memorial Hall of Allegheny County.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, in recognition of the induction of Frederic B. Sargent into the Soldiers and Sailors Memorial Hall of Allegheny County Hall of Valor, does hereby declare Thursday, July 18, 1991 as "Frederic B. Sargent Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Cohen presents

No. 2927 Resolution providing for the issuance of a warrant in the amount of \$721.40 in favor of Consolidated Rail Corp. in payment of Railroad Flagging Services required for inspection of Radcliffe Street and South 12th Street Bridges, payable from Code Account EC91-57, 3-13-05-001-91.

Which was read and referred to the Committee on Finance.

Also,

No. 2928 Resolution amending Resolution No. 595, effective July 9, 1985, entitled, "Providing for an Agreement or Agreements with a Consultant or Consultants, for professional engineering services in connection with the Design of the Rehabilitation of the Schenley Park Bridge over Boundary Street; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs

thereof," by providing for a Supplemental Agreement and by increasing the total project allocation by \$25,000.00.

Also,

No. 2929 Resolution further amending Resolution No. 340, effective April 21, 1989, as amended by Resolution No. 451, effective June 6, 1989, entitled, "Providing for a contract or contracts, or use of existing contracts, and/or Agreement or Agreements, or use of existing Agreements, for the Renovation of Spring Hill Ballfield and Playground; and providing for the payment of the cost thereof," by increasing the total project allocation by \$8,763.79, chargeable to and payable from Code Account EC 89-47, Index Code #594135.

Also,

No. 2930 Resolution providing for a Contract or Contracts, or use of existing Contracts, Agreement or Agreements, or use of existing Agreements, and the Purchase of Equipment and Materials in connection with the Renovation of the Baxter Playground; and providing for the payment at a cost range of \$100,000 or more, but less than \$400,000, payable from the Baxter Playground Trust Fund.

Also,

No. 2931 Resolution providing for a Contract or Contracts for the Replacement of the Shadeland Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment at a cost range of \$1,000,000.00 or more, but less than \$4,354,000.00.

Also,

No. 2932 Resolution authorizing and

directing the construction of an extension of 158' (one hundred fifty-eight feet) of a public sanitary sewer on Campus Street between Harbbison Street and Diploma Street in the 27th Ward, including all other work necessary in connection therewith; letting a contract or contracts therefore, and providing that the costs, damages and expenses of the same be assessed against and collected from property specially benefited thereby.

Also,

No. 2933 Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program", by transferring EC90-490 Bike Route from the Department of Engineering and Construction to CP90-490 Bike Route, Department of City Planning.

Also,

No. 2934 Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled, "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program", by creating a new line item EC91-405 (Baxter Playground Renovation Trust Fund Transfer).

Also,

No. 2935 Resolution providing for the creation of a special trust fund to be known as the "Baxter Playground Trust Fund", for the deposit of funds to be used for the Renovation of the Baxter Playground.

Which were severally read and referred to the

Committee on Engineering and Construction.

Mr. Coyne presented

No. 2936 Resolution providing for the issuance of a warrant in the amount of Three Thousand and Eighty (\$3,080.00) Dollars for payment, without previous authority of law, to Ro-Cel Electronics, Inc., for payment in full for the furnishing and installation of a Fire Alarm System at the Public Safety Building. Funds are available in Capital Project Code 3-30-01-0003-91, Index Code 831057, Bureau of Repairs and Operating Maintenance Department of General Services.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 2937 Resolution transferring \$461,792 from Code Account CC, Community Communications Trust Fund, (Index Code 250555) to the General Fund, (Index Code 017939) City of Pittsburgh, for reimbursement of indirect costs and employee benefits costs incurred by the Bureau of Cable Communications for 1991.

Which was read and referred to the Committee on Finance.

Also,

No. 2938 Resolution granting unto Computerm Corporation, 100 Wood Street, their successors and assigns, the privilege and license

to construct, maintain and use at their own cost and expense, an electrical vault on a portion of the sidewalk of Wood Street in the 1st Ward, 6th District of the City of Pittsburgh.

Also,

No. 2939 Resolution granting unto Metropol Nightclub, 1600 Smallman Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a loading dock, sidewalk and canopy on a portion of the sidewalk of Smallman Street in the 2nd Ward, 6th District, of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2940 Resolution transferring the amount of \$5,000.00 from Code Account 10 (001008), Accounts Payable - Prior Years, to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning.

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 2941 Resolution providing for an Agreement or Agreements with the Pittsburgh Police Historical Association, for the benefit of

the residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 2942 Resolution amending Resolution No. 893, effective November 21, 1989, entitled, "Resolution authorizing the Mayor and the Director of City Planning to enter into an Agreement or Agreements with a Consultant or Consultants for the purpose of obtaining design, survey, engineering and other professional services for the construction of pedestrian circulation improvements at Three Rivers Stadium, at a cost not to exceed \$350,000.00." by increasing the amount to \$650,000.00.

Also,

No. 2943 Resolution providing for an Agreement or Agreements with a consultant or consultants for professional services including design and production of maps and technical information and other services related to the City's Bikeway Program, at a cost not to exceed \$10,000.00.

Also,

No. 2944 Resolution approving execution of a Contract by and between URA and D. Thomas Mistick and M. Robert Mistick for the sale of Parcels 3, 3A and 5 in the Twenty-Fifth Ward of the City of Pittsburgh for \$1.50 per square foot -- Redevelopment Area No. 49.

Also,

No. 2945 Resolution approving execution of a Contract by and between URA and Washington's Landing Associates for the sale of Parcel 2A in the 24th Ward of the City of Pittsburgh for \$2.29 per sq. ft. -- Redevelopment Area No. 45.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 2946 Resolution providing for conveyance by the City of Pittsburgh of certain properties, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 2947 Resolution providing for conveyance by the City of Pittsburgh of certain properties, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 2948 Resolution providing for conveyance by the City of Pittsburgh of certain property, Under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 2949 Resolution providing for the issuance of a \$850.00 warrant in favor of Michael Hart in settlement of claim for auto damage by a City Police vehicle, charging same to Code Account No. 46, Judgements.

Also,

No. 2950 Resolution providing for the issuance of a \$1,261.40 warrant in favor of George Hall in settlement of claim for auto damage by a City Police van, charging same to Code Account No. 46, Judgments.

Also,

No. 2951 Resolution providing for the issuance of a \$1,325.00 warrant in favor of David Orwig for personal property damage as the result of a water main break, charging same to Code Account No. 46, Judgments.

Also,

No. 2952 Resolution providing for the issuance of a \$1,080.00 warrant in favor of Richard Fox & Barbara Fox Fleischer in settlement of claim for sidewalk damage at 4314 McClain Street, charging same to Code Account No. 46, Judgments.

Also,

No. 2953 Resolution providing for the issuance of a \$1,536.69 warrant in favor of Diane M. Zippi for auto damage by a Department of Public Works truck, charging same to Code Account No. 46, Judgments.

Also,

No. 2954 Resolution providing for an Agreement(s) with an independent accounting firm to perform an annual audit for a period of three years, in an amount not to exceed \$128,000 per year, payable from Code Account No. 1063, Miscellaneous Services, Department of Finances.

Also,

No. 2955 Resolution providing for renewal of a twenty (20) year lease with Columbia Gas Co., Inc. for a regulator station in McKinley Park, for a yearly rental of One (\$1.00) Dollar, revokable at the will of either party.

Also,

No. 2956 Resolution providing for renewal of a twenty (20) year lease with Columbia Gas Co., Inc. for a regulator station in Quarry Street Park, for the yearly rental of One (\$1.00) Dollar, revokable at the will of either party.

Also,

No. 2957 Resolution providing for the conveyance of certain property in the 16th Ward, Block 13C, Lot 258, to Ronald J. Hays for the sum of \$300.00.

Also,

No. 2958 Resolution repealing Res. No. 600, Item G, eff. 7-15-86, which authorized sale of 2321 Primrose St., 16th Ward, 13-C-258, a vacant lot, to Ronald J. Hays for \$300.00, as it was discovered that this property was not acquired in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", eff. 12-1-84, but was purchased outright by the City and cannot be petitioned for sale, therefore, under Act No. 171 of 1984.

Also,

No. 2959 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 2960 Resolution providing for an Agreement or Agreements with the Morningside Baseball Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Seven Thousand (\$7,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 2961 Resolution providing for an Agreement or Agreements with the National Achievement Clubs for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable

to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 2962 Resolution providing for an Agreement or Agreements with the International Poetry Forum for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Hundred (\$500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 2963 Resolution providing for an Agreement or Agreements with the Garfield YMCA for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 2964 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of Securities pledged as collateral by City Depositories as of April 30, 1991, and May 31, 1991.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 2965

Report of the Committee on Finance for July 17, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2880

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in favor of the Commonwealth of Pennsylvania, Department of Environmental Resources, P.O. Box 1467, Harrisburg, PA 17105-1467, in the amount of nine hundred thirty five dollars and thirty four cents (\$935.34) in payment for testing for radionuclides in drinking water, furnished for the benefit of the City in connection with the Pennsylvania Safe Drinking Water Act, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2882

A Resolution entitled, "Resolution authorizing the transfer of one hundred thirty five thousand dollars (\$135,000.00) from the JTPA-1 Trust Fund, Index Code 260307, to the General Fund of the City of Pittsburgh's PSC-JTPA Indirect Reimbursement Cost Account, Index Code 015362, for reimbursement of indirect costs of the Job Training Partnership Act Program for fiscal year 1991."

Which was read.

Also,

Bill No. 2883

A Resolution entitled, "Resolution amending Resolution No. 1256, Item B, effective December 7, 1990 which authorized the sale of property in the 11th Ward, being a 2 story, brick house situated on a lot 18.1' x avg. 89.65' x 24.84' Rr., located at 5410 Rosetta Street, designated as Block 50 M, Lot 180, to Rosetta Spears, for the sum of \$2,500.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2884

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of July 1991."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
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Mr. Coyne
Mr. Darkins
Mr. Ferlo

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2885

A Resolution entitled, "Resolution providing for an agreement or agreements with a consultant for professional services for the evaluation of personnel and position structures in the Office of the City Clerk." --- (SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 2901

A Resolution entitled, "Resolution approving the membership of the City of Duquesne to the Steel Valley Authority pursuant to the Municipal Authorities Act of 1945."

--- (SPONSORED BY MR. COYNE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 2966

Report of the Committee on Planning, Housing and Development for July 17, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2520

A Resolution entitled, "Resolution amending the Pittsburgh Code, Title Nine 'Zoning', Article III, Chapter 921, Section 921.02, Zoning District Map No. 17, by changing: From 'R2' Two-Family Residence District and 'R4' Multiple-Family Residence District to 'C3' Commercial District all that certain property bounded by: BARTLETT STREET; Lot No. 273, Block 86-L in the Allegheny County Lot and Block System; Lot No. 293, Block 86-R in the aforesaid System; BEACON STREET and the 'C3' Zoning District Boundary Line located east of MURRAY AVENUE between BARTLETT STREET and BEACON STREET, 14th Ward."

Which was read.

Mr. Cohen:

Mr. President, I'd my remarks brought forward on this bill, please.

Mr. Ferlo:

I'd also like my comments brought forward for the Record.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2520-Wednesday, 7/17/91)

Mr. Ferlo:

I would like Director Downing to come to the table. Director, as you were well aware, there was a public hearing held on this issue a couple weeks ago, and I thought there were some legitimate concerns raised by some of the near by property owners regarding both the fundamental issue of giving up residentially zoned property for commercial purposes, albeit for a greater public good, but it seems as though there were major concerns about the traffic flow and pedestrian safety. And I, for one, certainly am going to be supporting the need to rezone, because I think it is important that we support Giant Eagle in its effort to build a major new store, but I would like to make sure those concerns are resolved or mitigated, at least in terms of traffic and pedestrian safety.

What was your response following the hearing, and what can we do to ensure that upon approving this rezoning and upon supporting the construction of a new supermarket, that it is not at the expense of quality of life concerns that were raised at the hearing?

Ms. Downing:

Well, there was a traffic study with mitigating measures that have been discussed with the Giant Eagle, with the city Department of Engineering and Construction and Public Works to assure that those mitigating measures, in fact, will be implemented. And we will have follow-up discussions with the immediate neighbors on the final plan to make sure that we have caught all of their concerns. There has been much discussion around traffic mitigation plans, so I think we have caught most of them. But we will review it one more time.

Mr. Ferlo:

Giant Eagle has made a commitment to pay for those expenditures initially. If things come up months after the opening and other changes are needed, will that kind of support be forthcoming from Giant Eagle or will the Administration make a commitment to earmark monies to resolve any additional traffic problems that might come up? If the signage has to be changed or --

Ms. Downing:

Normally there is some evaluation period after the mitigating measures are put in, whereby we evaluate the effects of that, and I am sure we are planning to do that. I think it

is safe to say that if, in fact, there are outstanding issues that are caused by the construction of this new store, we would work to solve those problems.

Mr. Ferlo:

Giant Eagle appeared to be very supportive in wanting to -- I don't know if "negotiate" is the right word, but at least cooperate with the Squirrel Hill Urban Coalition. I think all of Council received a letter stipulating a number of issues that they would continue to work on or resolve.

In the past there has actually been formulated memorandums of understanding, more of a legal kind of a document between two parties when developments have gone forward. Is that contemplated in this or can we be assured that Giant Eagle will, indeed, follow-up some of the things they have stipulated in that memo? Because once it is rezoned, it is not the conditional use process.

Ms. Downing:

We, the city, have no way of making that agreement happen. From the testimony that was presented, it seemed to me that there was a commitment to resolving those issues and to come to some written agreement, but whether that has actually happened, now, I am not sure. There certainly has been a lot of conversation between the Squirrel Hill Urban Coalition and the representatives of Giant Eagle and a commitment to work through those issues.

Mr. Ferlo:

Could you state for the record and clarify why this could not be a "CP" zone as opposed to an expansion of "C3".

Ms. Downing:

There is one technical reason, in that in order to have a "CP" zone there must be two separate structures that are involved. In this case, there is only one structure.

Mr. Ferlo:

It is one structure with a lot of different retail store frontage.

Ms. Downing:

But it is one structure from a zoning perspective. So for that reason, we could not process it that way.

The second reason really has to do with the development plan, in that it could not be executed the way it is currently proposed, the size of the store and the number of parking spaces under a "CP" zone, because of the way that particular zoning category works relative to the surrounding zones. So technically, we could not process it as a "CP" zone.

Mr. Ferlo:

The only other last issue and I will close, I am going to vote in favor of this, but I am only going in favor of rezoning residential property commercial because of the greater public good associated with the construction of a new supermarket. I am not for encroaching upon a residential neighborhood any further. If, for whatever reasons -- and it was at least alluded to by the Giant Eagle representatives, Mr. Frank in particular, and I didn't like the statement that came off that, "Well, if financing is available, we will proceed with the new store." It sounded like there was a little bit of an "if" there that I was concerned about. I want to be assured that if this, indeed, does not take place, the construction of a new supermarket, that we can go back and revert this back to residential property.

Ms. Downing:

There is always the option to rezone it. whether that is the appropriate thing to do, I think we would have to judge at that time.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

(MR. COHEN'S COMMENTS ON BILL NO. 2520-Wednesday, 7/17/91)

Mr. Cohen:

When the rumors started to fly in Squirrel Hill about the potential of Giant Eagle pulling back from this project, I started getting a little nervous, and I think some other Councilmembers did, too. So I think this is a difficult one because at least for me I very much support the project there, the Giant Eagle expansion, I think it would be very good for the community, but if they don't get financing or for some other reason they don't move ahead, then what we have done is rezoned an area, part of which is residential, to allow for commercial encroachment. That is the problem here.

One question I have for you is whether anyone in the Administration as far as you know has talked to financial people to see whether or not if Council were to delay this or were not to vote to rezone it, whether that, in fact, would have an effect on the financing of the project. That is the other side of it that really affects me, that I don't want to do anything that could undermine the project, but at the same time I have those concerns. The Administration obviously is still supporting this, so you must believe that Council's failure to rezone would undermine the financing. How have you come to that conclusion?

Ms. Downing:

Well, I believe what Mr. Frank said to be true, based on my personal experience on the Loan Review Committee that is composed of representatives of various lending institutions. Commercial credit is or commercial capital is very difficult to gain in this period of time for reasons that have nothing to do with the individual banks; really, as I understand it, it has to do with national concerns. Anything that is an outstanding issue, like, "Is the zoning appropriate," is a reason to deny the application for financing. And that has been stated in meetings that I have been in, not relative to this particular project, but relative to other ones. So I believe that to be true.

If the zoning were passed, that is one fewer issue that the lending institution has to consider.

Mr. Cohen:

Okay. I realize finance is not your area of expertise, but the Administration's view is, at least, if this rezoning doesn't happen, that could actually negatively affect the project?

Ms. Downing:

Yes.

Mr. Cohen:

If Giant Eagle were not to get the financing or something else were to happen so they wouldn't go forward and we wanted to rezone it back to residential, how long would that take, Director?

Ms. Downing:

It goes back to the Planning Commission for consideration. You all would hold another hearing, and at a minimum I think it is a three month process.

Mr. Cohen:

Okay. We received letters of intent, basically the same letter of intent from Giant Eagle and the Squirrel Hill Urban Coalition that is a letter from Mr. Jim Lampl of Giant Eagle to Karen Green, executive director of the coalition. Most of this -- there are about 12 points here -- but most of them involve review and comment by the Coalition. Again, you weren't a party to this letter, but is it your understanding that the opportunity for review and comment will continue through this time period as well through the time that Giant Eagle is trying to find the financing?

Ms. Downing:

Yes, I believe they have committed to that.

Mr. Cohen:

My bottom line on this is that we should go forward with the rezoning, that we should give Giant Eagle the benefit of the doubt here. It is a difficult decision, because I really hesitate to rezone something residential into commercial when we don't have 100 percent certainty that Giant Eagle will be able to move forward, but at the same time, I certainly don't want to do anything that could undermine what would be a very good project for the community. So at least for me, I think we should go ahead with this.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

Also,

Bill No. 2838

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$1,000,000 to the Pennsylvania Department of Community Affairs for the neighborhood Housing Program."

Which was read.

Also,

Bill No. 2839

A Resolution entitled, "Resolution providing for the 1991 Neighborhood Housing Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$1,000,000 of Pittsburgh Home Ownership Program funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 2840

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$1,000,000 to the Pennsylvania Department of Community Affairs for the Rental Housing Development and Improvement Program."

Which was read.

Also,

Bill No. 2841

A Resolution entitled, "Resolution providing for the 1991 Rental Housing Development and Improvement Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$1,000,000 of Community Development Block Grant Program funds, Rental Rehabilitation Program funds and Developer Private Investment funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 2842

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$1,000,000 to the Pennsylvania Department of Community Affairs for the Housing Recovery Program."

Which was read.

Also,

Bill No. 2843

A Resolution entitled, "Resolution providing for the 1991 Housing Recovery Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$1,000,000 of housing revenue bond funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 2844

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$350,000 to the Pennsylvania Department of Community Affairs for the Housing Site Acquisition and Development Fund Program."

Which was read.

Also,

Bill No. 2845

A Resolution entitled, "Resolution providing for the 1991 Housing Site Acquisition and Development Fund Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$350,000 of Community Development Block Grant Program funds and Housing Revenue Bond funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 2846

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$600,000 to the Pennsylvania Department of Community

Affairs for the Penn-Liberty Streetscape Improvements Program."

Which was read.

Also,

Bill No. 2847

A Resolution entitled, "Resolution providing for the 1991 Penn-Liberty Streetscape Improvements Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$600,000 of City Bond funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 2848

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$355,000 to the Pennsylvania Department of Community Affairs for the streetface program." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2849

A Resolution entitled, "Resolution providing for the 1991 Streetface Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$355,000 of program participant

private investment funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2850

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$530,000 to the Pennsylvania Department of Community Affairs for the Community Development Investment Fund Program." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward on Bills 2848 and 2850.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILLS NO. 2848/2850-Wednesday, 7/17/91)

Mr. Ferlo:

Mr. Chairman, can Terry Donahoe come to the table?

As it was discussed at the last meeting, all these bills were held and all these bills represent an application process to the Department of Community Affairs for roughly \$4 million in money, new money, but the actual bulk package is about \$5.6 million. There was a lot of debate about some of these projects, all of which I am sure are worthy, especially the Coliseum project.

Mr. Darkins:

There is a problem about Market Square, too.

Mr. Ferlo:

I was going to offer amendments today, but since a number of Councilmembers were not able to be here at the last meeting and we are taking final action on Tuesday, I want to say generally there are two bills in the context of the Market Square allocation, two pots of money, the Community Development Investment fund proposal for 375 and the Streetface proposal of 200,000 I feel should be considered in a greater amount at the expense of some of these others. Personally, I am going to be voting "No" for the Market Square allocation, so I wanted to say between now and Tuesday I hope a number of Councilmembers can talk and come up with possible amendments that we can agree on regarding some of the allocations of these dollars.

But in terms of CDIF, I will hold the talk about that under those bills, unless you want to read all the bills as a package?

(Deleted text.)

Mr. Ferlo:

Point of order, Mr. Chairman. I would like to suggest we read all the bills, because they legally are one package, and then any member can discuss any one bill they want.

(Deleted text.)

Mr. Ferlo:

I meant procedurally we should read all the bills for the record and then discuss any aspect of the bills that we want.

(Deleted text.)

Mr. Ferlo:

Mr. Chairman, first of all, in response to my colleague, I agree that Market Square needs to be updated, but I think we should apply the same standard to Market Square as we have done to East Ohio Street on the North Side and other business districts, and that is where there have been major infrastructure repairs we created a business district formation and we assessed the property owners. I think the same standard could be used in the Market Square corridor.

At this time I would like to offer an amendment because there seems to be some concern raised at the table supporting the issue concerning Market Square.

For purposes of discussion, moving this debate ahead, I would like to make a motion that we amend Bill 2848, which is right now \$200,000.00 for the Streetface Program, my amendment is that we add an additional \$155,000.00, taking it from the Market Square proposal, and the other part of my amendment is that we amend Bill 2850 by \$155,000.00, increasing the Community Development Investment Fund program, and the subsequent amendments related to 2849 and 2850, 51, and part of that amendment -- and I apologize for speaking out loud, not having it written -- is we eliminate Bill 2832.

(Deleted text.)

Mr. Ferlo:

I want to make the argument strongly that all of these proposals are important, and it is always a shame when we have to pit one proposal against the other. However, the two pots of money that greatly assist -- and I am going to speak parochially to my district which is really indicative to districts throughout the city -- the Community Development Investment Fund is highly used by the community development corporations in the packaging of new housing proposals, as well as packaging assistance to the enlargement or construction of new businesses and the business corridors. It is a \$75,000.00 grant program, it is used in packaging, and, in fact, CDC's earn money back from that, so they actually get some administrative support money out of that allocation process, also. The CDIF at 75,000 a clip, there aren't that many able to be financed by the URA per year. It has had a visible impact on the viability of our commercial corridors at the neighborhood level. The second pot of money being the Streetface allocation, and that is not parochial just in my neighborhood, Lawrenceville, Bloomfield, Penn, Main and Garfield; that is an allocation that helps upwards of, I believe, 18 or so different business corridors throughout the City of Pittsburgh. And I think all of us have agreed that it is a very successful program and up-grading the

viability of our commercial corridors. There are alot more allocations each year, proposed applications each year, for CDIF and there are alot more applications for Streetface throughout these districts than URA is able to fund.

The memo that we got from the URA was, I thought, laughable; it just said, "We figured this out and this is all we need." The fact of the matter is that there are more applications each year from the CDC's and other groups for those dollars than we are able to fund in any year. So that is the intent of my motion is to reallocate dollars from one proposal to CDIF and Streetface.

(Deleted text.)

Mr. Ferlo:

We would be deleting 2832 and dividing that 310,000, by 155,000 each, and amending 2848 by 155 and 2850 by 155, and also correcting the companion bills 2849 and 2851. I want to point out, we don't know if we are going to get this \$5.6 million, so it is always going to be an issue of playing around after the fact with the amounts. It may be that any one of those proposes will not receive funding in full.

(Deleted text.)

Mr. Ferlo:

I hope Council will support the amendments.

In response to my colleague Mr. Regan, I just want to point out in terms of this issue of balance, because I think it is a good point, that we have a responsibility to be concerned about the viability of Downtown. Nowhere do we spend \$20 million fixing a street; we did that on Grant Street, \$20 million. We spent a little over \$6 million proposed for the Penn Liberty street scape activity, we proposed at least \$2 million for Forbes Fifth out of the capital budget that has already been allocated and is slowly being spent on studies of one sort or another. Every major UDAG in the millions has been allocated to major Downtown developments; CNG Tower, Vista, you name it. So in terms of the balance, we have done more than our fair share in terms of allocating and maintaining the priority of concern for the Downtown. We are just saying it is also equally a concern that we have to try to maintain some balance in terms of the viability of our residents in the community business districts. I hope you will give consideration to supporting the amendments.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

Also,

Bill No. 2851

A Resolution entitled, "Resolution providing for the 1991 Community Development Investment Fund Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$530,000 of Urban Development Action Grant Repayment funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2852

A Resolution entitled, "Resolution providing for the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$250,000 to the Pennsylvania Department of Community Affairs for the Hill District Facade Improvement Program."

Which was read.

Also,

Bill No. 2853

A Resolution entitled, "Resolution providing for the 1991 Hill District Facade Improvement Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$250,000 of Urban Development Action Grant Repayment Funds and Community Development Block Grant Program funds as the local matching share for a grant applied for in an application for

financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 2854

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$106,000 to the Pennsylvania Department of Community Affairs for the Minority Neighborhood Business Development Fund Program."

Which was read.

Also,

Bill No. 2855

A Resolution entitled, "Resolution providing for the 1991 Minority Neighborhood Business Development Fund Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$106,000 of Community Development Block Grant Program Funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 2856

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$250,000

to the Pennsylvania Department of Community Affairs for the proposed Federal North Redevelopment Project."

Which was read.

Also,

Bill No. 2857

A Resolution entitled, "Resolution providing for the 1991 Federal North Redevelopment Project Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$250,000 of local bond and/or Community Development Block Grant funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 2858

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$140,000 to the Pennsylvania Department of Community Affairs for the Greater Pittsburgh Coliseum Project."

Which was read.

Also,

Bill No. 2859

A Resolution entitled, "Resolution providing for the 1991 Greater Pittsburgh Coliseum Project Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh

providing for the designation of \$140,000 of funds generated from the operation of the Greater Pittsburgh Coliseum as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Mr. Regan:

Mr. President, on Bills 2838 through 2859, although I'm going to vote in the affirmative, I just want to protest on behalf of the business people in Market Square.

I'd like my comments brought forward on these bills, please.

(REMARKS ON FOLLOWING PAGES)

(MR. REGAN'S COMMENTS ON BILLS NO. 2838/2859-Wednesday, 7/17/91)

Mr. Regan:

I think we are only kidding ourselves when we try to rob Downtown Pittsburgh of monies that are needed to continue to spruce up our city, and especially the Downtown area. We talk about publicizing our city. We have a great city, but if we keep taking from the Downtown area, we are not going to have the city that we have now. I wholeheartedly go along with spending that money to spruce up Market Square area. I think it is desperately needed. I think our neighborhoods are nothing unless we maintain a good Downtown area. We should spend more money Downtown, not less money. We should pump more money into the Square down there, more money into the Downtown area if we are going to have a great city and continue to have a great city. I am for it 100 percent.

(Deleted text.)

Mr. Regan:

I just listened here earlier about my colleagues that were so worried about the little stores in their neighborhood when it came to Giant Eagle. What about the stores in Downtown Pittsburgh? \$300,000.00 is a pittance to promote our Downtown area. What about the empty storerooms in Downtown Pittsburgh? I don't see anybody here worried about them. And this is how we promote it. If we continue to promote the city and we promote those empty storerooms, we get interested people to come in and fill them up. I mean, I am for getting all the help I can for my neighborhood, but we won't have any neighborhoods if we don't take care of Downtown Pittsburgh.

They talk about the suburbanites, they are always on the suburbanites. The suburbanites will have all our storerooms if we don't continue to promote the Downtown area of the City of Pittsburgh. They won't have to worry about the neighborhoods, they won't be there in a few years if we don't start to promote the Downtown area of the City of Pittsburgh. We don't spend enough money in Downtown Pittsburgh to promote it. We had here URA, \$8,454,000.00, \$20,000.00 to promote it. That is nothing. If we are going to have a great city like we have, we need the money to promote it. Don't worry, when the suburbanites that always get rapped in this Council, when they come to the City of Pittsburgh, they don't look for one neighborhood or another, they come to Downtown Pittsburgh.

We have to sell our neighborhoods, I understand that, but we are robbing Downtown Pittsburgh today to satisfy certain communities. We are robbing the City of Pittsburgh, we are robbing the shopkeepers of the City of Pittsburgh to satisfy a

couple neighborhoods. I think it is terrible.

(Deleted text.)

Mr. Regan:

My one colleague talked at another meeting about building a super highway from here to the airport, and I would like my honorable colleague, President Pro-Temp, to understand those super highways. They go both ways; they go out of the city, too. If our business people in Downtown Pittsburgh are going to get this kind of treatment for \$300,000.00, then maybe they should go out of the City of Pittsburgh. Maybe they shouldn't maintain businesses in Downtown Pittsburgh where it cost them a lot of money to park, where their customers get tickets on the street, where they can go out in the suburbs and park in big parking lots and not have to pay any parking, not worry about getting traffic tickets. For \$300,000.00, you are telling the business people in Downtown Pittsburgh, "Hey fellows, maybe you ought to go to the suburbs. You are not appreciated by City Council." This is my feeling.

(END OF REMARKS.)

(Transcribed by Helen L. Kriebel, Stenotype Reporter.)

Also,

Bill No. 2902

A Resolution entitled, "Resolution further amending Resolution No. 507, effective May 30, 1991, entitled 'Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program', by reprogramming funds in the aggregate amount of \$11,111 under City Council line items."

—(SPONSORED BY MR. COYNE)

Which was read.

Mr. Coyne:

Mr. Chairman, on Bill 2902, I'm moving to amend by substitution. I believe all Councilmembers have the bill and substitution in front of them. There's no difference in this bill between this and the one I proposed last week except now that it has come back, the original legislation has come back from the Mayor's Office with a number on it, so the Budget Office is just going to clean up the numbers a little bit.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES NONE

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo:

Mr. President, on Bill 2520, I'd like to ask that the legislation become law effective upon the signature of the Mayor.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Coyne presented

Bill No. 2967

Report of the Committee on General Services for July 17, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2877

A Resolution entitled, "Resolution amending Resolution No. 47, effective February 12, 1991 entitled 'Providing for the letting of a contract or contracts, or to exercise against existing contracts, for various energy conservation projects for the Department of General Services, and providing for the payment of the cost thereof.

Funds are available in Capital Account 3-30-01-0004-91 (1989 Project Fund), Index Code 831065, Energy Conservation Improvements for Public Buildings, Department of General Services' to include the letting of a contract(s) or the use of existing contracts for the purchase of equipment, materials and supplies."

Which was read.

Also,

Bill No. 2878

A Resolution entitled, "Resolution providing authorization to enter into a contract or contracts by the City of Pittsburgh, with the Pennsylvania Energy Office (PEO), for a grant in connection with Energy in the Environment and Recycling Technology Program; providing for the execution of a Grant Contract; providing for required assurances; and providing for the deposit of the funds in a bank account of a special Trust Fund."

Which was read.

Also,

Bill No. 2879

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Cameras and Lenses for use in the office of (ONI), Organized Crime, Narcotics and Intelligence, Bureau of Police and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Is there a motion to excuse the absent member, Councilwoman Madoff, due to some dental surgery today?

Mr. Milliones moved to excuse Michelle Madoff for absence from the meeting.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Coyne moved to approve the Minutes of Tuesday, July 9, 1991 and Tuesday, July 16, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Coyne**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, July 30, 1991

No. 31

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, July 30, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT:

MICHELLE MADOFF

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 3007 WHEREAS, the Harris Family is one of the most prominent families in the City of Pittsburgh; and

WHEREAS, Ms. Katie Stone Harris was brought to this country from Africa as a young lady and lived to the age of 128 years after giving birth to four children; and

WHEREAS, the Harris family has birthed brothers and sisters who made invaluable contributions to the advancement of African Americans; and

WHEREAS, through the drive and determination of John Harris, Carrie Harris, James Harris, Joseph Zed Harris, Marie Harris, Oscar Harris, Butler Harris and Annie Harris, the family has grown to include men and women of education, integrity, professional accomplishment and moral responsibility; and

WHEREAS, the City of Pittsburgh is honored to host the Harris Family's Fifth Annual Reunion being held on July 19, 20 & 21, 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims July 19, 20 & 21, 1991 as "Harris Family Days" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair presents

No. 3008 WHEREAS, Mr. Harry J. Dilmore will be retiring at the end of July, 1991 after 31 years of service at the Pittsburgh Hilton and Towers; and

WHEREAS, Mr. Dilmore has been at the Pittsburgh Hilton and Towers prior to the opening of the hotel and worked on the construction of the hotel; and

WHEREAS, while Harry J. Dilmore will retire from his post as the Director of Property Operations at the Pittsburgh Hilton and Towers, his life has been filled with years of public service, serving as the Mayor of Avalon and President of the Mayor's Association of Pennsylvania, School Director of Northgate School Board, Avalon Volunteer Fireman, Building Inspector and Building Code Inspector, and a Board Member of Metowers. In addition to the above posts, Mr. Dilmore is the father of two children and loving grandfather of three.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and commend Mr. Harry J. Dilmore for his 31 years of dedicated service to the Pittsburgh Hilton and Towers and his numerous years of public service and wishes him well in his retirement, as we declare Monday, July 29, 1991 as "Harry J. Dilmore Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair:

We now move to a resolution jointly sponsored by Councilman Darkins, Councilman Ricciardi and myself. And we would like Mr. Eugene Connelly to please step forward with all the people here representing the 1991 Pittsburgh Three Rivers Regatta.

Mr. Darkins, Mr. Ricciardi and The Chair present

No. 3009 WHEREAS, our three magnificent rivers - the Allegheny, the Monongahela and the Ohio - providentially have served our community as well as mankind in great expanse; and

WHEREAS, Pittsburgh is the number one inland port in the world with its rivers providing the water needs for economic progress as well as for recreation of our citizens; and

WHEREAS, The Pittsburgh Three Rivers Regatta is designed to contribute to the goal of focusing attention on the area's lifelines, and will offer a fun-filled weekend of entertainment August 1st through August 4th; and

WHEREAS, The 1991 Three Rivers Regatta, presented by Pepsi, WPXI-TV, A.C. Delco and the Greater Pittsburgh Pontiac Dealers is pleased to celebrate another anniversary of its Pittsburgh history; and

WHEREAS, The 1991 Regatta will feature an expanded schedule of more than 70 events including the Bud Light International Outboard Grand Prix Boat Race, the Great Mid-America Sternwheel Race, the popular "Anything That Floats" event, and the Hot Air Balloon Classic, on August 1st through August 4th, which we proudly proclaim as "Regatta

Weekend".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the President and General Chairman of The Three Rivers Regatta, Eugene F. Connelly, and his dedicated and capable staff, as well as all those who work diligently toward success again this year.

BE IT FURTHER RESOLVED, that we congratulate Arthur Ziegler, the 1991 "Riverperson of the Year", as we urge our citizens and visitors to enjoy and participate in this open-air spectacular exhibition that truly reflects the great pride we all share in our bountiful rivers.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Connelly:

Thank you, fellow Councilmen, and President Jack Wagner.

We do want to announce and welcome everybody to our 14th Annual Three Rivers Regatta. Each and every year we say it's bigger, it's better than ever, but I can assure you that it is bigger and it is better and each and every year we're making a lot of additional add-ons to the Regatta to make it better every year.

We just want to say thank you so much for all the help that we receive from Citiparks, City Council, and from the Mayor of the City of Pittsburgh. Thank you very much.

I would like to introduce a couple of my colleagues that have joined me today. Just raise your hand, if you will, please, as I introduce you.

Gene Silcox, Mac Danowitz and Tom Constantine are the representatives from Pontiac with us. Bob Avalone from Pepsi Cola. Candace Carothers from WPXI-TV. And our very lovely and charming Janet Dunbar, the Mermaid. Janet is our Mermaid for the third consecutive year.

Thanks again to everybody and thank you to all the City Council people for your cooperation and making all this possible for us. Thank you very, very much.

The Chair:

Thank you all.

Mr. Darkins and Mr. Coyne present

No. 3010 WHEREAS, on July 13, 1991 at 7:20 a.m., a tragic fire occurred in the community of Hazelwood that took the lives of Brian and Patrick Robinson, ages 5 and 4 respectively; and

WHEREAS, through this tragedy beamed the heroic character of four children who saved the lives of their friends and relatives who were doomed to perish; and

WHEREAS, the names of the children are Jacqueline Eleta Robinson, age 18, who rescued 7 year old Christopher Robinson; Stacey Snead, age 17, who rescued Jovanna, Andrea and Anthony Robinson, aged 6, 4 and 15 months; Joul Ebony Robinson, age 16, who rescued 20 day old Christina Marie Robinson; and Melanie Snead, age 16, who rescued 7 month old Larry Echols; and

WHEREAS, these children exhibited the highest standards of bravery, compassion, love, mercy and self-sacrifice; and

WHEREAS, Jacqueline Eleta Robinson, Stacey Snead, Joul Ebony Robinson and

Melanie Snead are most worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and honor the above-named young people for their act of outstanding bravery in the face of danger.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

I thought it would be necessary to bring these people in because of the African American community. It's not in my Council District; it's Councilman Michael Coyne's Council District and he had to leave today and could not stay, but he understands the purpose and the cause.

I also attended the funeral services for the two that lost their lives and I found it to be most moving and found that these people that, as leaders of our community and elected officials, we should not only today but even into the future, have more input into our communities and let the people know that City Council and City Hall is concerned.

Ms. Robinson:

I would like to thank each and every one and most of all I'd like to thank the children for what they have done. I give God all praise, honor and glory. Amen.

The Chair:

Thank you all for attending.

Mr. Darkins presented

No. 2972 Resolution providing for the transfer of funds totalling \$150,000.00 from Code Account 1177, Refuse/Ash Disposal, Dept. of Environmental Services (\$50,000), Code Account 1165-9, Workers Compensation, Dept. of Environmental Services (\$20,000), and Code Account 1043, Misc. Services, Computer Information Systems (\$80,000), to Code Account 1160-1, Premium Pay, Dept. of Environmental Services. This transfer is necessary to cover the cost of overtime expenses involved with refuse, recycling, and bulk waste collections.

Which was read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 2973 Resolution transferring the amount of \$5,000.00 from Code Account 10 (001008), Accounts Payable - Prior Years, to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation. ---**(SPONSORED BY MR. DARKINS)**

Which was read and referred to the Committee on Finance.

Also,

No. 2974 Resolution providing for an Agreement or Agreements with the Western PA

Police Athletic League, for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation. ---**(SPONSORED BY MR. DARKINS)**

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 2975 Resolution granting unto Allegheny County their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, 74 rock anchor tie backs along a portion of the sidewalk of 2nd Avenue in the 1st Ward, 6th District of the City of Pittsburgh. Allegheny County has requested this encroachment due to the construction and design. The rock anchor tie back will be in 2nd Avenue beneath the utilities located therein.

Also,

No. 2976 Resolution granting unto Mark and Antonette Dobies, 3216 Dobson Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense an off-street parking area on a portion of the right-of-way of Harding Way in the 6th Ward, 7th District of the City of Pittsburgh. This request is made by the Dobies that due to their medical problems, the off-street parking area is essential. A check for \$125.00 has been presented to cover the cost of this proposed resolution.

Also,

No. 2977 Resolution granting unto the Pittsburgh Playhouse, 222 Craft Avenue, their successors and assigns, the privilege and license

to construct, maintain and use at their own cost and expense a handicap ramp on a portion of the sidewalk of Hamlet Street in the 4th Ward, 6th District of the City of Pittsburgh. This request is made by the Playhouse so that their handicapped patrons can gain entry to their buildings. A check for \$125.00 has been presented to cover the cost of this proposed resolution.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 2978 Resolution providing for the issuance of a warrant in favor of Albert Petrarca, 5703 E. Liberty Blvd., Pittsburgh, PA 15206, in the amount of \$1,400.00, in payment for professional consulting services rendered to Councilman Jim Ferlo, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council. (Council District #7).

---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 2980 An Ordinance amending the Pittsburgh Code, Title Nine "Zoning", Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing: From "R4" Multiple-Family Residence District to "A1" Commercial-

Residential Associated District all that certain property bounded by: Penn Avenue; Lot No. 121, Block 49-M in the Allegheny County Lot and Block System which is the present "A1" zoning district boundary line; Comrie Way and Lot No. 125, Block 49-M in the aforesaid System, 9th Ward.

Also,

No. 2981 Resolution amending Res. No. 903, eff. August 30, 1990 as amended by Res. No. 39 of 1991, entitled "Resolution providing for an Agreement or Agreements with the following Community Based Organizations for community and economic development planning assistance: Lawrenceville Citizens Council, Lawrenceville Development Corporation, and the Pittsburgh Partnership, at a cost not to exceed \$71,893.05, so as to increase the appropriation to \$77,644.21, chargeable to and payable from Community Based Organizations Trust Fund.

Also,

No. 2982 Resolution providing for an Agreement or Agreements for the provision of operating support to the following Community Based Organizations undertaking community economic development activities: Pittsburgh Partnership, the Lawrenceville Development Corporation, and the Lawrenceville Citizens Council, as a cost not to exceed \$76,352.27, chargeable to and payable from Community Based Organization Trust Fund.

Also,

No. 2983 Resolution providing for the filing of an application for financial assistance with the Pennsylvania Department of Community Affairs for a grant in the amount of \$1,586,541.81 in Strategy 21 funds and authorizing certain other related costs.

Also,

No. 2984 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Robert W. Gerwing for the sale of Parcels 244F and 244C-2, for the sum of \$1,000.00, in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27. The redeveloper lives at 1411 Page Street and will use these lots located at 1406-1408 Hopkins Street and 1409 Page Street as rear and sideyard areas. The parcels contain approx. 4,300 square feet. (Council District #6)

Also,

No. 2985 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Opal E. Jackson for the sale of Parcel 93 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27. The redeveloper lives at 1615 Manhattan Street and will use this lot located at 1406 Rush Street as a rear yard. The parcel contains approx. 1,560 square feet. The purchase price is \$470.00. (Council District #6)

Also,

No. 2986 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Raymond and Grace Henderson for the sale of Parcel 16A in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27. The redevelopers live at 1410 Adams Street and will use this lot located at 1408 Adams Street as a sideyard. The parcel contains approx. 1,416 square feet. The purchase price is \$350.00. (Council District #6)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 2987 Resolution providing for the transfer of \$160,000.00 from Code Account 1977, Utilities, Dept. of Water, to Code Account 1132-7, Utilities, Dept. of General Services. These funds are needed to pay for annual expenditures of bulk natural gas purchases for heating of various facilities, warehouses, pump stations and the Treatment Plant.

Also,

No. 2988 Resolution providing for the transfer of \$60,000.00 from Code Account 1977, Utilities, Purification & Pumping, Dept. of Water, to ARTF, Asphalt Reimbursement Trust Fund, Dept. of Public Works. These funds are needed to pay for accumulated asphalt costs which accrued because of street repair.

Which were read and referred to the Committee on Finance.

Mr. Milliones presented

No. 2989 Resolution providing for the issuance of a \$1,136.73 warrant in favor of Dr. David Scott for automobile damage to his 1983 Toyota Tercel struck by a Dept. of Public Works truck on February 15, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 2990 Resolution providing for the issuance of a \$2,715.00 warrant in favor of St. Paul's Seminary for property damage caused by a City refuse truck on August 22, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 2991 Resolution providing for the issuance of a \$2,846.87 warrant in favor of

American Rent A Ride, Inc. in settlement of claim for automobile damage to a leased vehicle on December 17, 1990, payable from Code Account No. 46, Judgments. The vehicle was to be used by the Dept. of Personnel and Civil Service for conducting investigations. On Dec. 17, 1990, the leased vehicle was stolen from a City parking space on Second Avenue. It was recovered on Dec. 19, 1990 and there was significant damage.

Also,

No. 2992 Resolution authorizing the City to incur Lease Rental debt in the amount of \$23,500,000.00 principal amount of Public Auditorium Authority of Pittsburgh and Allegheny County bonds of 1991, Series A & B, and providing for required filings and Agreements.

Also,

No. 2993 Resolution amending Res. 170 of 1990 as amended by Res. 71 of 1991 entitled: "Resolution authorizing an agreement or agreements with a collection agency or agencies for professional services in connection with the collection of delinquent taxes, fines, penalties and interest for the City of Pittsburgh at a cost not to exceed \$275,000.00, chargeable to and payable from Code Account 1063, Misc. Services, Dept. of Finance," by adding delinquent water charges to the items eligible for collection.

Also,

No. 2994 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the

Committee on Finance.

Mr. Regan presented

No. 2995 Resolution providing for a Contract or Contracts or use of existing Contract or Contracts to purchase a Customized Surveillance Systems Van, fully equipped with Electronic Equipment and Accessories and one (1) modified Step Van for use in the ONI Division; three (3) modified Mini Vans for use in the DARE unit, Bureau of Police, Dept. of Public Safety, at a cost not to exceed \$145,000.00, chargeable to and payable from Code Account (PSPD), Bureau of Police, Dept. of Public Safety.

Which was read and referred to the Committee on General Services.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 2996 Resolution authorizing the transfer of \$30,000.00 from Code Account 1927-9, Worker's Compensation, Dept. of Water to Code Account 1479-9, Worker's Compensation, Dept. of Public Safety, Bureau of Building Inspection. This transfer of funds is necessary due to insufficient funds in Code Account 1479-9.

Also,

No. 2997 Resolution Repealing Res. No. 287, approved April 5, 1991, eff. April 10, 1991, entitled "Transferring the sum of \$80,000.00

from Public Safety Pennfree Initiative (PSPD), Bureau of Police, Dept. of Public Safety, to Code Account 1154-1, Dept. of General Services, Rental of Motorized Equipment as reimbursement for four (4) vans."

Which were read and referred to the Committee on Finance.

Also,

No. 2998 Resolution authorizing and directing the Law Department to determine what powers this Council has under the current law to regulate the operations of railroads within the City limits and, in the absence of any legislative powers, to study and ascertain whether the City, as a municipality, has a cause or causes of action against any railroad that is operating in an unsafe manner causing an unreasonable risk of harm to City residents and to report its findings and conclusions to this Council.

---(SPONSORED BY MR. REGAN & MR. FERLO)

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 2999 Resolution providing for the issuance of a warrant in favor of A.G. Trimble Co., 600 Clark Building, Pittsburgh, PA 15222, in the amount of \$1,535.32, in payment for professional consulting services rendered to Councilman Jack Wagner, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council. (Council District #4).

---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by

providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 3000 Resolution transferring the amount of \$11,000.00 from Code Account 1006, Equipment, City Clerk's Office to Code Account 1003, Misc. Services, City Clerk's Office.
---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Mr. Ferlo:

On several occasions in the past this year, and as recently as two months ago, we again reiterated our concern to the Administration regarding the so-called fire study. At that time we specifically passed a unanimous resolution expressing our concern several fold.

First of all, that as an elected body, a legislative body, the body that decides on the budgetary constraints of City government, that we have some input into various planning meetings and the so-called study groups that exist, or supposedly exist.

Secondly, we also ask that the public community itself, community organizations, the public at large, be afforded an opportunity to have input or at least, through a public hearing process, have input on whatever so-called reorganization plan or any other type of changes

that might come about as a result of any recommendations from the so-called fire study.

Today, at least to my knowledge, I don't believe we've heard any response --

Mr. Coyne:

Point of Order, Mr. Chairman. Is this Unfinished Business?

The Chair:

Yes.

Mr. Ferlo:

I believe it's Old Business only because we have made a request to the Administration, one, to have input and two, that before the release of the study that there be some evidence of community input. But, more importantly, I think it's appropriate at this time that we ask that prior to the release of any study that that actually take place, that there be some community input and Council be made aware of any potential reorganization plan. And, more importantly, that there not be any implementation of any of the results of such a study until we've had that dialogue. I think minimally we should have a public hearing in which the Administration can come before Council and we can discuss the impact of any recommendations of the study.

The Chair:

We have not heard, correct, Mr. Perry, back from the Administration on Council's resolution that was passed unanimously?

Mr. Perry:

That's right.

The Chair:

I'm on the Committee and I haven't heard anything for several months. So, I'm concerned also.

What is your suggestion?

Mr. Ferlo:

My suggestion, by way of a motion, is that we conduct a formal hearing on the results of the study.

And, secondly, that we ask the Administration not to implement any aspect of any potential reorganization until such time that Council and the public have had a right to review and comment on the proposed recommendations.

I'd like to make that in the form of a motion.

The Chair:

A motion for a hearing?

Mr. Ferlo:

My motion is that there be a hearing and, secondly, that any reorganization not take place until such time as Council and the public have had a right to comment on the recommendations.

Mr. Regan:

Mr. Chairman, before I second his motion, I would like to add that I wrote a letter asking to be put on that committee because I'm in charge of Public Safety. As to this date, I have never gotten a reply.

I second Mr. Ferlo's motion.

Mr. Coyne:

I would like to put a question to Mr. Ferlo. Wouldn't it be more appropriate to wait until the study was given to us before we held a hearing? It seems that if we're going to hold a hearing prior to getting the study, we're going to be talking in the dark and not really even know what we're talking about.

Mr. Ferlo:

Just to clarify, I'm saying that the hearing, obviously, would be held after the study becomes public, but as part of this, not only that there be a hearing but that we ask the Administration not to implement recommendations until such time that the public and Council has had a right to comment on any proposed recommendations.

The Chair:

I think it's a justifiable request.

WHICH MOTION PREVAILED.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3001

Report of the Committee on Finance for July 24, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2912

A Resolution entitled, "Resolution providing for the issuance of a \$863.05 warrant in favor of Frank Popovich in settlement of claim for auto

damage by a City fire engine, charging same to Code Account No. 46, Judgments."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2913

A Resolution entitled, "Resolution transferring the sum of \$6,000.00, (six thousand dollars), from Code Account 1051, Index Code 105106, Equipment to Code Account 1046-1, Index Code 104612, Premium Pay, Office of the City Controller." (AS AMENDED)

Which was read.

Mr. Coyne:

I'd like my remarks brought forward on Bill 2913.

The Chair:

I would like my comments brought forward on Bill 2913, of which I'm voting no and the basic reason is that I don't think management employees should be paid a higher level of salary when people are on vacation, and I stated that last week.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. COYNE AND WAGNER'S COMMENTS ON BILL NO. 2913, WEDNESDAY, JULY 24, 1991)

Mr. Coyne:

Mr. Chairman, could we have the Controller at the table, please.

Mr. Controller, could you please explain the need for the transfer?

Mr. Flaherty:

Well, we were under the impression that this was going to be a very routine transfer. I know in my four years on Council and in the past eight as City Controller they always have been extremely routine. In fact, last year there was \$581,000.00 transferred into payroll accounts throughout the entire City Administration.

The history of this request goes back to last fall when the Controller's Office did not have an opportunity to meet with the Administration on our request. We read about it in the newspaper and I'm sure Members of Council are aware that we had approximately 21 jobs that were removed last year from the City Controller's Office and our Premium Account even though we previously spent \$43,000.00 for 1990, we were cut back to \$15,000.00 for 1991. Subsequently, Anthony Pokora, my Executive Secretary who's on my left, had a series of conversations with Jim Turner from the Mayor's Office. Jim Turner assured us that there would be no problem in transferring funds when that time occurred. That time occurred approximately three weeks ago and once again when Anthony Pokora from my office called Jim up and spoke with him and said, "Do you remember our conversation?" "Sure, we'll see what we can do, no problem. I'll have Carolyn Marks from my office contact you." Carolyn Marks called Mr. Pokora and said, "Okay, where are we going to transfer the funds from, he will be glad to answer any questions that he had. . ." I'm just giving a brief overview as far as the conversation with Mr. Turner or Ms. Marks.

It was arranged in a conversation with Ms. Marks that there would be a \$6,000.00 transfer from the City Controller's Equipment Account and a \$5,000.00 transfer from the Postage Account in Finance. We said "Fine, it will be sent to City Council" and it was sent to City Council.

Now I get a call from the media yesterday. Apparently the Mayor's aides aren't coordinating this stuff for whatever reasons so one of the Mayor's other aides is telling the media something else. We tried to make contact with Mr. Turner, he's on a two-week conference; he's out of town. That is the genesis,

that is the overview. I think each Member of Council received a brief study of the expenditures for all of the departments for last year which showed a percentage of the premium pay in relation to what their appropriations were. That was prepared by Mark Gibbons who is Chief Accounting Officer and a Certified Public Accountant and Mark here is is my right and he will be glad to answer any questions that you may have in this regard.

In closing on this overview, I want to say it's frustrating to deal with an administration that can't have two of its top aides get their heads together on a very minor point. We in the Controller's Office are trying to work in a cooperative fashion. If this is the kind of attitude on a simple issue such as this, God forbid what the attitude is going to be on issues of real significance to city residents. It was either a lack of coordination and if that was the case I urged the Mayor to get her people coordinated. If it's a question of someone trying to jackpot me, they can come up to this table right now and explain what their actions are all about. It's one of the two. I'll be glad to answer any questions as will my aides.

Mr. Coyne:

Thank you for the explanation. My basic question was, why is there a need for the transfer and I don't think that has been addressed yet.

Mr. Pokora:

We have two top individuals in the Controller's Office who have been either on disability or on sick leave this year and we have had to put people in their positions in an in-grade acting capacity and we've exhausted the amount of money that was put in the budget in January by Council.

Mr. Coyne:

The two employees who have filled in for these higher positions, have lower employees filled in their positions?

Mr. Pokora:

One has. The Controller's Engineer is on disability. The Engineer 2 was filled in for him and an employee below him has filled in the for the Engineer because that is the only two individuals that are in that subsection of the Controller's Office and we have to have both of those individuals in a position for the Engineering Department to go out and inspect current projects. However, in the Assistant Executive Secretary in charge of operations position, the individual who's filling in for that has not been -- no one has filled in that position.

Mr. Coyne:

According to the research that I've had our Budget Staff do, there has been 16 individuals who have received acting pay so far this year and it seems like a large number. What is the overall policy of the Controller's Office on acting pay? Let me review first of all a memo that went out to all Directors on August 28, 1990 from --

Mr. Pokora:

-- if I may interrupt you, we did not receive a copy of that memo.

Mr. Coyne:

I know you didn't. This is the Administration's policy and I wouldn't necessarily expect it to be the Controller's Office policy.

Just for the record, let me read what the Administration's policy is towards acting pay:

"Acting pay should not be given as a matter of course, but rather should only be permitted where it is absolutely necessary to have an employee immediately available to make pressing decisions that cannot be deferred or referred to a higher level.

In all instances of acting pay, acting employees must assume the full and unique responsibilities of the higher paid job. The mere fact that the higher paid position personnel is absent is not reason in and of itself to pay acting pay.

All acting pay for any non-union employee must be authorized, in writing in advance, in advance from the Budget Office."

So what the Administration's position is the mere fact that the higher-paid position is absent or is not filled at that point is not reason in itself. So what I question is, why do we have 16 individuals, of which I might add that 80 percent of the funds that have gone and I guess it is just to 4 employees are the ones that you had mentioned previously?

Mr. Pokora:

Right.

Mr. Coyne:

Why would 16 other individuals then receive the acting pay?

Mr. Pokora:

The normal procedure in the Controller's Office is if we have a vacancy and we have an individual fill that vacancy, we pay them a salary for that vacancy. They're doing extra work, they're doing work out of their normal position. Although that may be the position of the Administration, that's not true throughout the City. You will be seeing very shortly other departments come before Council who have exhausted 70 to 80 percent of their premium accounts already and they're going to be asking for more money too.

Our colleagues in the Finance Department have a better situation than the Controller's Office. Although they have used slightly more than us, we've used \$14,000.00 this year and Finance has used \$18,000.00 this year out of their Premium Account.

The Finance Department also has a \$190,000.00 for temporary employees of which the Controller's Office does not. They also have about 51 different positions in the Department of Finance of which they can put part-time or as needed positions in and the Controller's Office does not. So although that procedure may be directed from Mr. Turner, it's not followed by the Administration.

Mr. Coyne:

If a position is open, if Employee A is missing for one day and Employee B is the next in line, would Employee B then receive the amount of money that "A" would receive for that day?

Mr. Pokora:

If it's a higher position and he's doing work out of his normal classification, yes. I'm sorry, Employee A has to be off more than three days.

Mr. Coyne:

So it's not on a day-to-day basis.

Mr. Pokora:

No, sir.

Mr. Coyne:

Let's get to the amount of acting pay expended from your Premium Pay account this year. It seems that nearly 90 percent of your funds so far this year you've already used.

Mr. Pokora:

That's correct.

Mr. Coyne:

And the next department is the City Magistrates Courts where I think it's 17.9 or something to that effect.

Mr. Flaherty:

No, that's not true at all. That's way off.

In fact Mark, if you would care to address -- the next one is going to be the Department of Environmental Services.

Mr. Coyne:

I was talking acting pay rather than premium pay. The amount of the funds that were used for acting pay rather than premium pay. I have Magistrates Court as using acting pay expenditures this year of \$4,049.00 and the Controller's Office \$13,460.00 or 17.92 percent as opposed to 89.73 percent. So this isn't just premium, this is acting.

Mr. Pokora:

I'm sorry, I didn't follow your question.

Mr. Coyne:

My questions are geared towards the acting pay and not the premium pay. Acting, in-grade, promotions, based on a three-day period or however.

Mr. Pokora:

In the code account for premium pay for each individual department it's not broken down into acting pay versus overtime so we have no idea what any other departments have used. We only know what they've used as far as premium pay.

Mr. Coyne:

I've broken it down and I can tell you that Magistrates Court is the next highest city department which is 17.9 and the Controller's Office is 89.73. I find it hard to understand why there's this great discrepancy.

Mr. Pokora:

The discrepancy is for two reasons. If you look at the pay that we've distributed to you, the Controller's Office received

35 percent of its appropriations of its 1990 expenditures. Every other department received over 100 percent so we're 65 percent of a cut we took and considering that we've done awful well in the Controller's Office in keeping those costs down. So if you use those figures, sure the expenditures are going to be higher in the Controller's Office.

Number Two, the Controller's Office took a 20 percent budget cut on top of a ten percent vacancy allowance so we took a cut of 30 percent of our budget. Now, if you look at any other department, no other department including -- in fact, all other departments combined in the City of Pittsburgh did not receive a 20 percent budget cut like the Controller's Office did so they have more flexibility in putting individuals who were on the budget already in those positions. We also don't have the flexibility of "as needed" or part-time individuals like every other department in the City has. The Controller's Office was stripped of all but "clerk, as needed".

Mr. Coyne:

Even though if the funding is at the 1990 level of \$33,000.00 and that was the higher amount before you were cut and granted, if your funding was still at that number for this year you would still be at 50 percent of the total appropriations for acting pay which would still be at 32 percent higher than any other department. So even if initially at budget time at the beginning of this year it wasn't cut, you would still be 32 percent higher than any other department and I still don't understand why the Controller's Office is unique in that regard that you are so much higher.

Mr. Pokora:

Again, for two reasons. Number One, we've taken the highest budget cut in city history.

The Chair:

Point of clarification. You keep referring to the large cuts in your office. As I recall it, those were vacant positions which were not filled and had not been filled for seven years.

Mr. Pokora:

That's not true at all, Councilman. That is not true. In fact, in at least two of the positions there were people in them when they were cut.

Mr. Flaherty:

They were out on the street.

Mr. Pokora:

Getting back to your point, Councilman, we took a large budget cut and we don't have the flexibility that the other departments have in moving people into open slots and Number Two, we don't have the part-time and "as needed" positions like our counterparts in the Finance Department do. With 51 separate positions in Finance, he can move people in and out of everywhere. If we had that flexibility we wouldn't have any in-grade pay.

Mr. Coyne:

I can see that your hand is sort of forced here then. That you're put in a position which is non-tenable for you and it looks as if maybe things aren't appropriate.

My final problem and I guess this has as much to deal with you as it with the Administration is going into postage to take the funds. Because if you look at what the City has appropriated for postage at the beginning of this year, we've appropriated \$1,098,000.00 for postage and as of this month we've used \$670,000.00 for the expenditures so far, so we're over 50 percent spent the money that was appropriated for postage up to this point and they're talking of a postal increase right now of maybe one cent per letter, so I can't see how the City expects to meet our costs with postage if we give the Controller's Office \$5,000.00 out of postage to meet your needs.

Mr. Flaherty:

I don't know why Mr. Turner and Ms. Marks agreed to it and put their imprimatur on the legislation that was submitted. I'd be glad if it's the will of Council to hold this until Jim Turner returns from his conference --

The Chair:

-- it's not really his decision.

Mr. Flaherty:

I can understand your concern as far as postage but that is what was handed to us by the Budget Office. They said, "Okay, we'll work something up" and they came back and they said, "Here, take \$5,000.00 out of postage." We're acting in good faith and we said okay. Then we come up here and we understand the postage allowance is almost depleted or it will be at the end of the year.

I understand your concern, but your criticism should be directed either toward Mr. Turner or Ms. Marks. I infer that one of those two said to take the \$5,000.00 out of postage.

Mr. Coyne:

I understand what you're saying. I guess in conclusion I'm going to move to amend this bill by deleting \$5,000.00 as coming from postage and the Controller's Office and the Administration can get together and see where that \$5,000.00 can come from because I don't think we should put ourselves in the position that we're robbing from one code account to put into another.

Another issue is either through the advice of the Administration or the through the Controller's Office, non-action that we're going from the Controller's Office to another department to get the money. I'm sure you know your accounts better than I do. Several accounts in the Controller's Office where money is available from unencumbered balances that could be shifted over for your acting pay or premium pay.

Mr. Pokora:

If I may address that. Where that stemmed from was at the end of last year with the budget cuts, we were assured by Mr. Turner that if we needed the money in our premium account or our salary account that he would find the money for us since all of our accounts had been cut and that we wouldn't have to provide the money from one of our subsequent accounts. However, when this situation came about Ms. Marks called me and she said that she could get me \$5,000.00 but she couldn't get the whole \$11,000.00 but asked if I could find \$6,000.00 in one of our accounts and we've done some juggling and found the other \$6,000.00. I don't think we can find another \$5,000.00.

Mr. Coyne:

I think that goes to a basic problem that we face as Councilmembers and I think Mr. Wagner brings this up at every budget time and that is that it's Council's budget and I can't see Mr. Turner being in any position to tell the Controller's Office that he's find money for you because it has to come in front of this table and we ultimately are responsible to the taxpayers for the expenditures of tax dollars and so like I said, I have some code accounts within the Department of the City Controller that funds are available and it's unfortunate that Mr. Turner led you differently and said that he would find the funds because I can't accept that and on the bill itself I'll be making an amendment to delete the money from postage and that's all I have to say right now.

Mr. Wagner:

Gentlemen, a couple quick questions. I am sorry if I understood. On the Engineer position Mr. Pokora, earlier you indicated that --

Mr. Pokora:

-- I'm sorry, I can't hear you.

Mr. Wagner:

On the Engineer position, in other words the top position of Chief Engineer you have been filling in with another person because of what did you say earlier?

Mr. Pokora:

Because of the need to have that position filled. In that subsection of the Controller's Office there are only two individuals: The Controller's Engineer and the Engineer 2 and we need to have both of those positions filled permanently because of the large expense and the amount of contract work that is going on within the City right now.

Mr. Wagner:

But you indicated a disability and the reason for that was --

Mr. Pokora:

-- yes. It is a cloudy issue right now. The individual has filed for retirement but has also filed for disability and we've been told by Fred S. James that we have to hold off in filling that position until the disability issue is settled.

Mr. Wagner:

The individual retired as of January of this year.

Mr. Pokora:

And has also filed for disability and I'm not sure how that works. Our office doesn't get involved in disability because it's by the private contractor, Fred S. James, but I had attended a preliminary hearing in front of the state in May regarding the Controller's Engineer and it was approved to have him on disability and there will be a subsequent hearing again and that hasn't been scheduled yet.

Mr. Wagner:

Is it the policy of the Controller's Office, and maybe Controller Flaherty, this is the best person to address this question, to pay acting pay for people in management positions particularly higher level positions?

Mr. Flaherty:

Sure it is. As it is with all city departments.

Mr. Wagner:

To my knowledge that's not the case with all city departments.

Mr. Flaherty:

Well, we're not under the jurisdiction of the Mayor Office. We're an office, we're not a department and the Home Rule Charter specifies that the Controller is an independently elected officeholder that has jurisdiction over that office.

Mr. Wagner:

I agree with you totally, I'm just trying to find out. In other words, if the Deputy Controller were off on vacation and someone filled in for the Deputy Controller, that person would receive the pay of the Deputy Controller.

Mr. Flaherty:

I don't know if that's ever occurred.

Mr. Pokora:

It has occurred.

Mr. Wagner:

Why would you do that? Why would management people taking over temporarily the duties of another management person get a superior pay for a very limited predictable period of time?

Mr. Flaherty:

The example in question where Mr. Pokora is Executive Secretary would fill in for Ray Johnson is because only myself and Mr. Johnson are permitted under law to sign certain information, checks and I'm not there all the time and when I'm not there then Mr. Pokora assumes that right while Mr. Johnson is on vacation.

Mr. Wagner:

I guess we just have a difference in philosophy here.

Mr. Flaherty:

I can understand your point, perhaps that was a bad example.

Mr. Pokora:

In that instance not only did I do the Deputy Controller's position, I continued to do my position too, so I had taken on an extra position for that two-week period.

Mr. Wagner:

Well, the same holds true this week with our Assistant City Clerk because our City Clerk is off on vacation but our Assistant City Clerk is not receiving City Clerk pay because we think in the management area that's the way people should be paid and that's the way the City should function and quite frankly, vacations should not create a situation financially where people are rewarded based on filling in during a predictable time period for another employee. That should be a normal course of business in my opinion within city government.

Mr. Flaherty:

How did the City Clerk's Office last year have \$21,000.00 in premium pay? Where did that go?

Mr. Wagner:

I could sit down and show you all that but I'm saying to you it did not happen with management positions and it is happening in the Controller's Office with management positions and I personally don't agree with that. Now in union contracts or if you have a civil service position and someone is moving within another job category and it's mandated by the contract that they receive a superior pay while taking on another position, I can understand that. I don't think it's a good practice inside government or outside government for management people on a temporary basis in a predictable time frame to be rewarded financially for filling in for someone else.

Mr. Flaherty:

Are you saying that has never occurred?

Mr. Wagner:

I'm not saying it never occurred, I'm saying it commonly occurs within the Controller's Office the way I read it much more commonly than anywhere else in city government.

Mr. Flaherty:

That's because our premium pay was cut 65 percent last year and there were no other cuts in any other city department.

Mr. Wagner:

But I'm only talking about this situation and management getting an inflated salary.

Mr. Flaherty:

It's not an inflated salary. Mr. Pokora just explained to Council that he was carrying the responsibilities of two responsible managerial positions and fulfilling responsibility of the Deputy Controller. There are mandates right in the City Charter.

Mr. Wagner:

There are not mandates for --

Mr. Flaherty:

-- Jack, we can argue over philosophy but I'm the Controller and you're the President of City Council and I don't tell you how to run City Council, do I?

Mr. Wagner:

Yes, you do.

Mr. Flaherty:

No, I don't.

Mr. Wagner:

And you have made many suggestions over the years.

Mr. Flaherty:

When? Show me one time on the Municipal Record where I told you what my philosophy is as far as management in City Council.

Mr. Wagner:

You do every year when it comes to budget in regard to the entire city and the Controller's Office.

Mr. Flaherty:

No, we don't.

Mr. Wagner:

You do it repeatedly.

Mr. Flaherty:

The County Controller does it, we don't do it.

Mr. Wagner:

That is not the issue in front of us.

Mr. Flaherty:

Yes, that is issue in front of us.

Mr. Wagner:

No, it is not the issue. I have the floor and you're in Council right now and I want to remind you of that.

Mr. Flaherty:

Fine, but I'm the Controller of this city.

Mr. Wagner:

That's right but you're in Council Chambers and this meeting will be conducted in an orderly fashion.

Mr. Regan:

Point of order, Mr. Chairman.

Mr. Flaherty:

I think we can treat each other with respect.

Mr. Wagner:

I'm just making a point and my point is simple and clean that I don't think management people, top management people within an organization replacing other management people during vacation, off on short periods of time and sick leave should be rewarded financially for filling in for other people.

Mr. Flaherty:

I don't accept your position.

Mr. Wagner:

That's okay.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	

AYES 7 NOES 1

(MR. WAGNER VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2914

A Resolution entitled, "Resolution authorizing the City to enter into an agreement with the Union National Bank to serve as the successor trustee for the Workers' Compensation Reserve Trust, authorizing compensation to the Bank and other related authorizations."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2917

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Honeywell Protection Services in the amount of \$1,880.00 in payment for the installation of fire and furnace alarms in The Tropical Forest Building at The Pittsburgh Zoo without previous authority of law, payable from Code Account 1852, Index Code 185207, Miscellaneous Services, Department of Parks and Recreation, The Pittsburgh Zoo."

Which was read.

Also,

Bill No. 2918

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Steed Audio, Inc., in the amount of \$1,125.00 in payment for sound reinforcement service at Point State Park furnished for the benefit of the City without previous authority of law; and providing for the payment thereof, chargeable to and payable from Code Account 1837, City-Wide Events Index Code 183707. (Prior approval granted by Council June 14, 1991.)

Which was read.

Also,

Bill No. 2936

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of Three Thousand and Eighty (\$3,080.00) Dollars for payment, without previous authority of Law, to Ro-Cel Electronics, Inc., for payment in full for the furnishing and installation of a Fire Alarm System at the Public Safety Building."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2940

A Resolution entitled, "Resolution transferring

the amount of \$5,000.00 from Code Account 10 (001008), Accounts Payable - Prior Years, to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."

Which was read.

Mr. Milliones:

I would like my remarks brought forward on Bill 2940.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. MILLIONES' COMMENTS ON BILL NO. 2940,
WEDNESDAY, JULY 24, 1991)

The Chair:

I would simply say that as a matter of simple courtesy to the Chair, when such a request is made it seems to me it would be reasonable for the Chair of Finance to know about it.

Secondly, we apparently face this issue every year and it would appear that a number of -- the perception is that this is an account which we can raid and as I understand it there is another bill requesting funds from those accounts and it seems to me that there needs to be some discussion if those funds are going to be used, how are they going to be used rather than people just dipping in without any discussion on it or understanding the perimeters about which decisions will be made about that fund.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 7 NOES 1

(MR. MILLIONES VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Ferlo:

Mr. President, on Bill 2940 I'd like to make a motion that it become law effective upon the signature of the Mayor.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

Bill No. 2946

A Resolution entitled, "Resolution providing the conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 2947

A Resolution entitled, "Resolution providing for the conveyance by the City of Pittsburgh of certain properties, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 2948

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 3002

Report of the Committee on Public Works for July 24, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2906

A Resolution entitled, "Resolution vacating 38th and 39th Streets between the within-named terminals in the 6th Ward, 7th Voting District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 3003

Report of the Committee on Planning, Housing and Development for July 24, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2909

A Resolution entitled, "Resolution amending Resolution No. 538, effective June 5, 1991, entitled, 'Providing for an Agreeent or Agreements with Pittsburgh Action Against Rape to provide counseling and information for women experiencing domestic violence problems, so as to increase the amount appropriated from \$3,000.00 to \$23,000.00', chargeable to and payable from the 1991 CDBG Program Project No. CC-4-40-05-0500-91-948-91-35, Index No. 607614."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo Mr. Wagner
Mr. Milliones (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2910

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$605,000.00, chargeable to and payable from the 1991 CDBG Program - Department of City Planning - 'Community Based Organizations' Index No. 605121."

Which was read.

Mr. Ferlo:

On Bill 2910, I'd like to make a motion that we recommit the bill.

The main question I have, which we've yet to have been able to figure out with the Budget staff, is that there's \$112,500 discrepancy in the allocation process that's unexplained. I'd like to suggest, by way of a motion, that we recommit the bill.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

Bill No. 2911

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Community Housing Resource Board for operational/administrative support, at a cost not to exceed \$50,000.00, chargeable to and payable from the 1991 CDBG Program, Department of City Planning, Index No. 605469."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2941

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Police Historical Association, for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City

Planning." --(SPONSORED BY MR. FERLO, MR. COYNE, MR. REGAN, MR. COHEN, MR. RICCIARDI AND MR. DARKINS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES 1

(MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo:

Mr. President, on Bill 2941 I'd like to respectfully ask that the legislation become law effective upon the signature of the Mayor.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Mr. Coyne presented

Bill No. 3004

Report of the Committee on General Services for July 24, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2903

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or the use of existing Agreements, for Accessibility Evaluation/Audit of City of Pittsburgh owned property and providing for the payment of the cost not to exceed \$7,000.00, payable from Code Account No. 1128, Miscellaneous Services."

Which was read.

Also,

Bill No. 2904

A Resolution entitled, "Resolution providing for the letting of contracts and use of existing contracts for the materials, general supplies, and equipment by the several departments of the City of Pittsburgh, during the calendar year 1992, whose estimated costs will be in excess of \$10,000.00 and to purchase without advertisement, such as material, general supplies, equipment and machinery whose estimated costs will be less than \$10,000.00."

Which was read.

Also,

Bill No. 2905

A Resolution entitled, "Resolution providing for the letting of contracts and for the use of existing contracts, for the maintenance, rental, inspection, or servicing of personal property bonding, insurance, printing and other related services and for the miscellaneous services in and for any and all departments of the City of Pittsburgh, and providing for the payment of the cost thereof, for the calendar year 1992."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 3005

Report of the Committee on Parks and Recreation for July 24, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2920

A Resolution entitled, "Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in conjunction with the Department of Parks and Recreation, Special Events and Cultural Affairs 1991 Great Race/Finish Line Services and providing for the cost thereof not to exceed the amount of Nineteen Thousand Six Hundred (\$19,600.00) Dollars from the Special Parks Program Trust Fund, Index Code 254359, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2921

A Resolution entitled, "Resolution authorizing a lease with the Pittsburgh Ballet Theatre for a portion of real property located on Liberty Avenue between 29th and 30th Streets to be used as a parking facility relating solely to Ballet purposes."

Which was read.

Mr. Ferlo:

Mr. President, I'd like my comments brought forward on Bill 2921 and just make it clear in the Record that in conveying and leasing part of this property, which is known in the community as Denny Park, the Pittsburgh Ballet has made a commitment in lieu of a payment, in lieu of taxes, to make yearly repairs and maintain the small parklet adjacent to this site and that includes the basketball court and some tot lot equipment.

I want that stated for the Record and I hope that in conveying this and approving this resolution today, the actual lease arrangement worked out between the Administration and the Pittsburgh Ballet will indeed stipulate that commitment.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2920-Wednesday, 7/24/91)

Mr. Ferlo:

Discussion. Director, this is an issue I am very concerned about. It is basically giving up some public park space that we have, and it is referred to as the "Denney playground" in the 6th Ward in Lawrenceville, across the street, as you know, or for members who may not be familiar with it, it is across from the Pittsburgh Ballet School that was set up a few years ago.

When I had met with the directors and owners of the Pittsburgh Ballet Theater, managers -- this is going back to Louise Brown's tenure close to two years ago when this first started -- they had agreed with me, because I had expressed some reservations, that they would either pay a payment in lieu of tax for this land we were going to give them, or what I asked them to do, would they be willing to fix up the basketball court and the Denney playground area, which is sort of adjacent to and part of this lot. They agreed that they would do that if we gave them the parking lot for 15 years.

I am just concerned that between now and Tuesday this bill be amended to reflect that commitment from the Pittsburgh Ballet Theater, either in a dollar amount per year or some aggregate dollar amount or some specific reference that they will repair and operate the playground adjacent to the parking lot.

Mr. Young:

We can certainly have that for you before next Tuesday. It is my understanding from the staff who have been involved in this that the Pittsburgh Ballet Theater will, in fact, take care of that entire block. As you know, a portion of it is needed for parking, and in fact, I think that there probably should be some discussions with the community in terms of what should remain there. I mean, there is no sense in, perhaps, having a basketball court there if, in fact, this is nobody to use it. So if that is acceptable to you, we will pursue that and get something back to you before next Tuesday.

Mr. Ferlo:

The park, even though it is small and there is not a large residential population, there are a lot of little kids that use the playground, both the court and some of the other open space there. And since the Ballet, they were elated at the thought that Council would allocate this land to them, they badly need this parking. The dollar value of this property with the parking is, you know 10, 15, 20 thousand dollars a year, so they are making out on this deal. And they were more than willing to fix up the playground area and maintain it for 15 years. I want

that stipulated as a result of this agreement.

Mr. Young:

We will have something more concrete when it comes back.

(End of remarks.)

(Transcribed by Helen L. Kriebel)

Mr. Ricciardi:

On Bill 2921, Mr. President, I requested that the Administration forward City Council a copy of the agreement so we could review it. I have not yet received it and I would like to ask Michael Perry if he has it in the City Clerk's Office.

Mr. Perry:

No, I haven't received it.

Mr. Ricciardi:

I'd like to make a motion to recommit Bill 2921, Mr. President.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Mr. Perry, please send another reminder to the Administration on that. I think we should move forward with this.

Mr. Cohen presented

Bill No. 3006

Report of the Committee on Engineering and Construction for July 24, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2897

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with

the Western Pennsylvania Conservancy for the purpose of landscaping the large island at Stanwix Street and Liberty Avenue; and providing for the payment of the cost not to exceed \$15,000.00, payable from Code Account EC91-503, Index Code #816850."

Which was read.

Mr. Cohen:

On Bill 2897, I'd like to thank the Department of Engineering and Construction, particularly Fred Reginella and Bruce Padolf, for a fairly quick response to a number of questions that we had on the Pennsylvania Conservancies Flower Bed Project at Liberty and Stanwix. I think they at least answered the questions that I had and I think they did a good job doing it.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2898

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, for architectural/engineering services in connection with the design of a new moving walkway from the Zoo Parking Lot to the Main Entrance; and providing for the payment at a cost range of \$100,000.00 or more, but less than \$250,000.00, payable from Code Account No. EC 91-98."

Which was read.

Mr. Cohen moved to recommit Bill No. 2898.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 2899

A Resolution entitled, "Resolution amending Resolution No. 918, effective August 30, 1990, entitled, 'Providing for a contract or contracts or use of existing contracts, for Renovations to the Department of Parks and Recreation Warehouse and Shop; and providing for the payment of the cost thereof, by amending the title to include the Purchase of Equipment. Cost not to exceed \$280,000.00.

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Ferlo
Mr. Milliones

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2900

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled, 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program', by providing 1991 funding for EC 91-98, Zoo Master Plan Implementation."

Which was read.

Mr. Cohen:

I'd like to move to recommit Bills 2898 and 2900. Those are companions bills on the Zoo walkway and tower project.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

Mr. Ricciardi:

Mr. President, I have scheduled a post

agenda hearing for this Thursday at 1:00 on the future development of the MacIntosh Hemphill Buildings and Site. I have invited Joseph Mistick of the Mayor's Office, Director Jane Downing, several representatives of the South Side Local Development Corporation, the developer and the owner of the site.

It has been brought to my attention this week that there has been much misunderstanding and a lack of communication between all parties involved, and hopefully this post agenda hearing will get everyone on the same page cooperating together. So I respectfully ask my colleagues to attend. Thank you.

The Chair:

You are inviting, in addition to us --

Mr. Ricciardi:

Joseph Mistick of the Mayor's Office, Jane Downing, Director of Planning, several representatives of the South Side Local Development Corporation, the owner and the developer of the site.

The Chair:

Thank you.

Mr. Ferlo:

Mr. President, I believe today there was a bill submitted by the Administration in cooperation with the County for the leasing or the commitment of City residents to go into debt for close to \$25 million for some major economic development activities including, one of them being, the Convention Center expansion, the construction of the Western Pennsylvania Historical Museum in the Strip, and a few other projects.

I'm just concerned that when this bill comes to the table that Mr. Mistick and/or a spokesperson for the Mayor, or the Mayor herself, be available at the table to talk about this issue. I think it would be irresponsible for us on our part to approve this bond issue without getting a clear understanding as to what the development projects are all about, especially the Convention Center.

There has been a lot of debate about the expansion of the Convention Center. There is an existing consultant report that was paid for by County Convention Center Public Auditorium Authority resources. As far as I'm concerned, it makes no sense at all.

As you had pointed out, Mr. President, there was no discussion and design for expansion of that building as it relates to the riverfront. I think you spoke about that issue at length close to a year ago.

I'm only concerned that when that bill comes to the table, that it not just be a discussion about financing with Dr. Hayllar; that indeed it be a discussion about what is happening with development in the City.

I'm beginning to be concerned about this Administration. I think this Administration has an abysmal track record as it relates to major development in the City. I could fill a legal tablet with the number of projects that are either stalled or delayed or went by the wayside. I think we should be concerned about the management of the City and I don't think we should vote on this bond issue until we have some facts before us and I respectfully request that the appropriate individuals from the Administration be present at the table.

The Chair:

When will that bill be in Committee?

Mr. Ferlo:

I believe next Wednesday.

The Chair:

Thank you, Mr. Ferlo.

Mr. Regan:

Mr. President, while visiting the derailment site in the President Pro tem's district, Mr. Ferlo, I noticed written on the wall up there art work done by Mr. Serg. I want to offer \$1000 reward for the arrest, prosecution and conviction of this gentleman.

He has tattooed all over the City of Pittsburgh. If you notice under bridges, walls, just the printing Serg - S-E-R-G - and it's very big in certain areas. We have tried to get it off in places in the North Side and it's impossible to get it off unless you would hire a professional to do it.

I love the City of Pittsburgh and we don't need any commercial artist painting underneath our bridges and all over the City of Pittsburgh the name S-E-R-G. So, I'm going to offer \$1000 reward for his arrest, prosecution and sentencing, or whatever the Judge decides.

I think it's about time that we stop this guy or people that are doing his work. I think it's terrible and it's really an eyesore in the City of Pittsburgh.

Mr. Cohen:

Mr. President, I certainly commend Councilman Regan for that and I agree with him that the graffiti has really increased all over the City. In the part of town that I represent, the two tag names are Prime and 91.

We just had a meeting with the Ellsworth merchants on Ellsworth Avenue and they're coming up with a fairly large reward to try to arrest and convict those people who are involved there.

It has become a serious problem. I think that the Police Department is really working hard on it but we really need to take extra steps.

The Chair:

Several neighborhood groups have become involved throughout the City, one of which has made, I think, some formal recommendations on how to address the problem.

Mr. Ferlo:

I want to applaud the actions of Mr. Regan, also, and point out in commenting that unfortunately there's a lot of graffiti and there's a lot of it on public parks and a lot of it in my district and I think every one of us can speak about graffiti.

I beg to differ a little bit with my colleague, Mr. Cohen. I don't think the Police are doing enough about it because I don't think they treat it as a serious enough problem. We have never seen, in the three years that I have been on Council, that people have used the laws that we do have on the books.

Mr. Regan, we do, in fact, as you know, have a reward system that has never been utilized. I don't think they treat it enough as a problem.

And secondly, again, it goes back to management. I know you're sick and tired of hearing me harp about this Administration, but we don't have effective management. Even on graffiti, we don't care about graffiti. We don't

have a program for cleaning it up. We just sit on our hands. So, I blame the Administration.

Maybe they have graffiti in Japan and the Mayor will learn something over there.

The Chair:

I would like to add that what we really need is a systematic approach to address the problem because it's a problem country-wide, especially in big cities.

In addition to Mr. Regan's suggestion, we need to -- There are six or seven other initials out there that are showing up City-wide. Not only do we need to apprehend those people, but we need to redirect them, because, in essence, they are people that have some artistic values and if their energies are redirected appropriately, they could be an attribute rather than a detriment to our society.

But we also, in City government, I think need to have a systematic approach in every department as to how to address the graffiti problem.

Mr. Ferlo:

Mr. President, when I was in high school I knew the nicknames of about 100 people, and I think all of us had that experience. How graffiti can continue to take place in and around parks areas with obvious nicknames of obvious kids who go to Peabody or go to some school in the neighborhood, and there's no investigative work done, there's no working out with the community, access to this information.

I mean, there's a way to deal with the problem as well as managing the problem in terms of removal. We don't even remove the graffiti when it's out there. If it's bad enough, if it's a swastika, if it's KKK, fortunately, with

enough stink, we can get Public Works out there to deal with it. We've done that. I think all of us have called in when we've been outraged at graffiti. There has been a number of cases in Garfield where that took place.

But we don't have a program to deal with the graffiti problem and I applaud Mr. Regan for speaking about it today.

The Chair:

So do I and maybe we need a special meeting.

Mr. Regan:

I will have something prepared for next Tuesday's meeting, something that I think will have a little sting in it because I think this City is too great of a City and I think that we're a clean City. This costs a lot of money to get this stuff removed in the City of Pittsburgh. You can't just do it with our people; you need a professional to do this.

I think if you see the size of this graffiti, you know, a guy just can't be there for five or ten minutes. It's a work of art, some of it, especially this guy named Serg. We'll call it the "Stop Mr. Serg Graffiti" - whatever. But we have to get him. If he's on the North Side, we'll really be sure to get him.

Mr. Cohen:

The law is that the people themselves who are the victims of this graffiti are the ones who have to clean it up. I think it's an eight to ten day period. That's a terrible burden on some people. It costs thousands of dollars to clean this graffiti off of their wall. It's a horrible situation.

I do agree that we need a comprehensive plan. I do, though, want to take a moment to

commend at least the Zone 6 Police Department because, after meeting with them several times, they have put several undercover people on the beat in that area. So, I think some commendation needs to go to the Zone 6 Police Station. I know they're working very hard on it and I hope the others do as well.

One last thing before we adjourn, if I may, Mr. President. I'd like to introduce somebody who is visiting my office here today, and he is right behind me. His name is Serjei Tagashov and Mr. Tagashov is from the University of Moscow. He happens to be the son of the Director of International Projects for the Novosti Press Agency. So, if any Councilmember is interested in getting Soviet press coverage, they should go to Mr. Tagashov here.

I just want to thank him for coming this morning. I believe he's going to the Pittsburgh Post Gazette this afternoon and if we could all give him a round of applause, I'd appreciate it.

Mr. Tagashov:

I'm grateful for the opportunity to be in Pittsburgh and I would like to thank the people of Pittsburgh because, in part, it's also because of them that this was possible.

Mr. Regan:

Mr. President, I just want to remind Sergei that he hasn't been in the country long enough for him to be the famous Serg that's doing all that writing.

Mr. Cohen:

We checked to make sure he doesn't have any spray paint with him.

The Chair:

\$1000 reward, Mr. Regan. You may be paying yourself.

Mr. Darkins:

Mr. Cohen found him.

Mr. Ricciardi:

Mr. President, I would just like to thank Councilman Cohen for his special guest this morning.

Also, on another note. I noticed, Mr. Wagner, that this morning we have made several requests of the Administration. My concern is the requests that we have made in the past. For example, as with all of my colleagues, I tend to follow the Minutes of the Planning Commission and you only see six votes continuously cast. We have made a request from the Administration concerning that seventh seat.

I would like to know, Mr. Wagner, have we received any correspondence from Mayor Masloff's Office?

The Chair:

No, we have not, and really, the ball is in their court.

Mr. Ferlo:

They have two appointments.

The Chair:

Yes. There are two outstanding appointments and we have requested that Mr. Mistick meet with all of us and discuss the appointment process. That has not happened; therefore, we're not moving forward on the

appointments.

I have one final announcement to make. The long-awaited up and running City Council Reapportionment Committee will meet for the first time a week from tomorrow, August 7th, at 7:00 p.m. here in City Council Chambers.

I know each Councilmember has nominated a person to sit on that Committee for a nine-member committee. I also want to announce that my committee nominee has resigned already. We are not up and running. Mr. Ed Kiely, and I am nominating Mr. Mark Duffy in his place.

I also want to add that one of the reasons why I have been delayed in getting this Committee up and running is that the Republican Party has made several recommendations to me, that they should have a representative on this Committee. Due to the fact that all nine individuals nominated by City Councilmembers are registered Democrats, they are accurate in that there is no one on the Committee that represents the minority party.

They have also recommended that up to four people be nominated that are Republicans in the City of Pittsburgh.

I'm not going to do that but I am going to ask the Republican Committee to provide at least three names, hopefully five names, to me and from that we will pick one person that is a Republican that will sit on that Committee. Without doing that, I would fear that there would be continual controversy related to a committee consisting of nine Democrats.

I'd like to add, though, that this Committee truly will have public input all along the process from all citizens in the City of Pittsburgh, whether they be Democrat, whether they be Republican, whether they be

Independent, or whether they simply be citizens, not even registered in the City of Pittsburgh.

So, I don't want anyone to think that party representation or any particular group representation means that that group will be represented more so on that Committee. I truly think every Councilmember has made an excellent nominee to the Committee and the Committee will be a very productive committee. Instead of it being a nine-member committee, it will be a ten-member committee and, therefore, the challenge for that Committee to unanimously come up with a suggestion to this Council will even be greater because, obviously, there can be a 5-5 vote with ten members.

So, I just wanted to inform all Members of Council. I will be formally, myself, calling all of the people that you have nominated today and asking them to attend the first meeting which will be August 7th at 7:00 p.m.

Mr. Ferlo:

Mr. President, first of all, I applaud you for that report and also the indication that the appointment will be made from the Republican Party. But let's keep mindful the fact that this body is solely an advisory body. The law very clearly states that Council, as an elected body, will decide on this reapportionment business.

We have chosen to form an advisory group. Whether it's 9 members, 10 members or 15 members is really not the issue. I think it's important to point out that even this body itself, I never perceived that it was going to have a formal vote. I thought that it might offer a number of recommendations regard proposals for reapportionment, all of which can be reviewed and debated by Council.

But what's most important, and I believe you spoke about this earlier in forming the

Committee, is that there would be a formal public hearing to have formal public comment on any proposal or proposals from this advisory body. So, it's a very open process and I applaud the addition of a Republican. Some of my best friends are Republicans and I think they should be on the Committee.

Mr. Regan:

I'd like to commend you, Mr. Chairman, because of all the Republicans in the world, I think the best Republicans live in the City of Pittsburgh and I'll be glad to have one on there.

Mr. Darkins:

Mr. President, I'd like to bring to your attention and also commend City Council, after reading the article in the paper in regards to my colleague, and no offense to Mr. Ferlo whatsoever. But after doing some research and thinking about it in regards to the Chauffeur caption in the paper and on the news, I really think City Council is saving the City money. After you think of a man that we brought here as a

chauffeur who was on compensation from the Department of Public Works, I think that in bringing him here to fill a job that was a vacancy, he was on compensation and the City of Pittsburgh was paying all that money for compensation. He is no longer on compensation. He is no longer, really, employed by the Department of Public Works but has transferred here, and I think we are saving the City a lot of money.

The Chair:

Thank you, Councilman Darkins.

Mr. Ricciardi moved to excuse Michelle Madoff for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ricciardi**

Council adjourned.

MUNICIPAL RECORD

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No. 32

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, August 6, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. RICCIARDI
	MR. WAGNER
	(Pres't)

ABSENT:

MR. COYNE
MICHELLE MADOFF

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ferlo:

I'd like to ask some of the representatives from the Three Rivers Center For Independent Living to come forward.

Mr. Ferlo for Mr. Coyne presents

No. 3030 WHEREAS, many documents and much of the legislation written or adopted in these Chambers refer to people with disabilities by personifying their disabilities as "the blind", "the disabled", "the handicapped", "the mentally retarded", "the deaf", and so on, or by using their disabilities as adjectives, as "epileptic child", "blind person", "disabled person" and so on; and

WHEREAS, a goal of the disability rights' movement is to dissolve the barriers of psychological exclusivity which many archaic terms promote; and

WHEREAS, terms such as "disabled person", "the disabled", "epileptic child" and "the mentally retarded" subtly encourage another to recognize the person in terms of the disability alone, while "person first" terms such as "person with a disability", "people with mental retardation" and "child with epilepsy" encourage recognition that the disability is only one of the person's characteristics; and

WHEREAS, the policy of the City of

Pittsburgh towards people with disabilities is to recognize them as "persons first" and as having a disability second; and

WHEREAS, this past Friday, July 26, 1991 marked the first anniversary of the date of passage of the Americans with Disabilities Act.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, recognizing the first anniversary of the passage of the Americans with Disabilities Act, does hereby adopt the procedure of using "person first" language in all resolutions, ordinances and official documents in which such a reference is appropriate, and to use language which identifies an incapacity only if necessary; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh urges the Mayor to institute this policy in each department of the City Administration.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. Ladies and gentlemen we have several representatives here this morning from the Three Rivers Center For Independent Living. To my left is Bill Christian, Rick McWilliams, and to my left also, Regillia Holden. Bill Christian would like to say a few words. I think all of have known Bill for many years. He's appeared in this Chamber on behalf of people with disabilities. On many, many occasions he was a lobbyist and really out front in the battle to make sure the Congress did indeed pass the Disabilities Act, and we're very honored to have him here this morning, and I think we can

learn a lot from his words. Thank you, Bill.

Mr. Christian:

Well, its always an honor to be here in front of Council and to accept a terrific resolution. I really commend Council for adopting this policy but its always an adventure to come down to City Council.

We have always talked about the accessibility of City government. We have two accessible parking places out there, but its always an adventure. We drive up to find one of them being occupied by a police car, I don't know who's going to ticket a police car, but there's a police car parked in one of those spots, and then we had a fight with a flat bed truck who wanted to unload some boards and materials for the City-County Building, and that was a rather frightening experience to think this truck was going to back over the car because he really wanted that handicapped spot. And, as we were unloading as Rick was needing to get out of his car, there was another car that pulled up that had a handicapped parking license plate and needed a spot to park but obviously there wasn't one thereof.

So, coming here is always an adventure and we're glad to have two spots out there but I would really encourage that they are used appropriately.

Just about the resolution I want to say quickly that although there wasn't a lot of discussion about this motion and there are no fines or penalties or people are not going to get dragged off to jail if they don't speak properly, and although we didn't have to demonstrate and bring hundreds of people with disabilities into Council Chambers and force you to adopt this resolution, I think this procedure that you're adopting could be one of the most socially significant things Council has done in decades.

You have by one resolution restored the humanity of 43 million people with disabilities in this country.

Society, has chosen to use language which relegates us to second class status, which dehumanizes us, which turns us into categories and takes away our humanity. We only have to remember last year the furor that went around because of the "Hunky" Steelworkers statue in the park, and no other minority group tolerates the use of devaluing language.

I think City Council by adopting this resolution may probably be the first local municipality to take such a positive step in recognizing our humanity, and we deeply appreciate your efforts on our behalf in recognizing us as people and thank you very much.

Mr. Ferlo:

Let me add members of Council, I think its important that all of us individually as elected officials along with our staff, and the Clerk's staff who often times helps to promulgate proclamations and resolutions as well as the reference in this resolution going to the Mayor's office, that there be a calling on the Mayor to issue some type of Executive Order or Executive statement relative to the accordance of this resolution, and I would ask our President, Mr. Wagner to forward this proclamation to the Mayor's office.

Mr. Darkins presents

No. 3031 WHEREAS, the Honorable Dr. Charles G. Adams in one of the most outstanding African American Baptist administrators in the history of the Progressive National Baptist Convention; and

WHEREAS, Dr. Charles G. Adams is the

national President of the Progressive National Baptist Convention, Inc. which is comprised of over 1800 churches and 1.8 million members ;and

WHEREAS, Dr. Charles G. Adams is a graduate of The Harvard Divinity School and The University of Michigan and has completed post graduate studies as a Rockefeller Fellow with Harvard University and as a Doctoral Fellow at the Union Theological Seminary; and

WHEREAS, Dr. Charles G. Adams is the Pastor of the Hartford Memorial Church in Detroit, Michigan that boasts a membership of over 7,000; and

WHEREAS, The Hartford Agape House, a ministry of the Hartford Memorial Church, continues to serve the community with innovative programs like the Auto School and Shop, The Hunger Task Force, The Free Legal Clinic, The Free Clothing Mission, The Hartford Job Development and Placement Agency, The Hartford Senior Center, The Crisis Support Line, The Free Medical Clinic, The Hartford Scholarship Fund and many more; and

WHEREAS, Dr. Charles G. Adams holds eight honorary degrees and is considered one of America's foremost educators.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby honors Dr. Charles G. Adams for his outstanding service to The Progressive National Convention and proclaims Thursday and Friday, August 8th and 9th, 1991 as "Dr. Charles G. Adams Days" in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh officially welcomes the 30th Annual Session of the Progressive National Baptist Convention to the

City of Pittsburgh as well as its guest speakers, U.S. Secretary of Health and Human Services, Dr. Louis Sullivan, Reverend Jesse Jackson, Dr. Benjamin Hooks and Mr. Wyatt T. Walker.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

I have quite an honor today to honor our Police of the City of Pittsburgh and several other people here, and these are one of the things that Council people all like to do, to honor the people that live their neighborhood, or the people that best represent the City of Pittsburgh.

My first resolution is for the 279th Engineer Combat Battalion. Would the McCullough family please come up. I see Jim Creehan sitting back there. Come on up here Jim.

Mr. Regan presents

No. 3032 WHEREAS, the 279th Engineer Combat Battalion served over 600 men in World War II which included the Rhineland and Central Europe campaigns. The Battalion served in heavy combat fighting in the fall of 1944 and the winter of 1944 and 1945; and

WHEREAS, the Battalion participated in the assault river crossing of the Roer River in a safe free line on February 23, 1945; and

WHEREAS, the Battalion spear headed on the Rhine River and the Elbe River when the war ended; and

WHEREAS, on August 8-10, 1991, the 279th Engineer Combat Battalion is holding its 45th Annual Reunion at the Sheraton at Station

Square.

NOW, THEREFORE, BE IT RESOLVED, that the City of Pittsburgh expresses its awareness of the great contributions that these men served in the 279th Engineer Battalion for their country in World War II. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Regan:

We have the Chairman Chuck McCullough and his two sons Charles and Terrance here. Chuck do you want to say a few words?

Mr. McCullough:

On behalf of Baldy, the members of the 279th Engineer Combat Battalion, living and dead, especially the guys that were killed in action in Germany in 1944 and 1945, thank you.

Mr. Regan:

Now we have Josep Fitzgibbons the Chairwoman. Would you please come up Josep and bring all the police with you please. Bring everybody up here. This is one of the biggest events to happen in the City of Pittsburgh and gives us a great image throughout the United States. This a National Night Out, which Council gave \$2,500 last year and we're looking for your help in the budget to come up with a little bit more.

Mr. Regan presents

No. 3033 WHEREAS, August 6, 1991

marks the eighth annual "National Night Out" sponsored by the National Town Watch Association; and

WHEREAS, this event is observed nationwide and is designed to heighten crime prevention awareness, strengthen neighborhood spirit in the crime prevention campaign, and send a message to criminals that neighborhoods across the United States are organized and fighting back; and

WHEREAS, The City of Pittsburgh placed 2nd nationally in 1989 and has placed in the top four in the last seven years, including first in 1986. No other major city in the United States has ever accomplished this record; and

WHEREAS, neighborhood and community cooperation are the heartbeat of the National Night Out project and all citizens can participate and become involved by spending the night of August 6, 1991 outside on their porches, front steps, sidewalks or lawns, and by turning on their outside lights from 8:00 P.M. to 10:00 P.M.; and

WHEREAS, sponsors of this cooperative National Night Out evening are: Duquesne Light Company, 7-Eleven Stores, Phillips Light Bulbs, Patrick Media and Turner Dairy.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims August 6, 1991 as "NATIONAL NIGHT OUT"; and

BE IT FURTHER RESOLVED, that the Council encourages the citizens of this great City to participate in all Block Watch activities in support of fighting crime.

Mr. Regan moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Regan:

This is Josep Fitzgibbons and she's going to say a few words here in representing the group. Thank you.

Ms. Fitzgibbons:

Thank you, Councilman Regan. I just want to say that this years National Night Out is bigger and better than ever. We have more neighborhoods participating then we have before.

I think a lot of that has to do with the hard work of our Community Relations Officers many of whom are here.

I also want to introduce one of our sponsors, Mr. Kender from Phillips Lighting is here. Phillips has given us a lot of help over the years in National Night Out.

We also have some community volunteers, and for the first time this year we have the participation of our Universities. We have representation from the University of Pittsburgh here today, Carnegie Mellon, Chatham College, and Robert Morris are also participating.

So, we think that's a big step. Thank you all and we'll see you all with your porch lights on tonight, thanks.

Mr. Cohen:

I'd like to take a moment to congratulate our Community Relations Officers. All of us here on Council work with them and I think they do a very excellent job, and I'm looking forward to a fun night tonight. I think I'm going to about four or five of these, and one of them

unfortunately I'm going to have be dunked in water. I don't know if that's the standard for the Night Out's for the Block Watches, but they have a dunking machine there and I've agreed to be dunked, and I hope that I could have all your support in terms of getting me dried off after words.

Mr. Darkins:

Councilman Regan, I'd also like to address that we are very happy about of people that are making such a great contribution to the City of Pittsburgh. But, I'm also proud of all of you and I have to point out today as I look upon Sergeant McFadden there who is one of my classmates in High School, and we just celebrated our 35th year class reunion. If anyone would have told me 35 years ago that he'd be a Sergeant and I'd be a Councilman, I would not have believed it, but we're glad you're here.

Mr. Regan:

Sergeant McFadden since you were in that class we're going to let you say something.

Sergeant McFadden:

I'd just like to thank everybody with Council and everybody with the City, who have really been supportive for the Crime Prevention effort, and without them a lot of this wouldn't be possible, and we forget about them sometimes. I know you're out at all the meetings and you really support us and support the community, and the Mayor. The Mayor's been involved in this for a long time, and without their help all this wouldn't work.

Mr. Regan:

Okay, lets all put our lights on, get out on the front porch, and take your best shot at any criminal coming by. No hitting below the belt.

Would Lieutenant McNamara and Leo Marchetti please come up here. Sergeant McMahan, Paul Wolack, would you please come up.

This is quite an honor for me as a poor little Councilman from the City of Pittsburgh, the North Side especially, to honor our police, because of what a tremendous job the police in the City of Pittsburgh do for our community, and there's no doubt in my mind that we have the best Chief of Police in the United States, the best President of the Fraternal Order of Police, and the best Fire Department in the United States, and the best Police Department in the United States, and I might as well throw the Paramedics in there to before I get in trouble.

Mr. Regan and All Members of Council presents

No. 3034 WHEREAS, law enforcement officers have safely protected the rights and freedoms of the people of this nation since the beginning of its existence; and

WHEREAS, in 1915 two Pittsburgh patrolmen, Martin O'Toole and Delbert Nagle, started the movement to organize police officers in order to earn better wages for living, and perform duties during decent hours so as not to be dismissed from employment for unjust reasons by those in power; and

WHEREAS, through the work of the 23 original officers, the outstanding leadership of such an organization was not only accepted by local officials, but on a national level as well, so that today the national membership has risen to more than 220,000 officers in 36 states and 1,848 local lodges; and

WHEREAS, Fort Pitt Lodge No. 1 will host the 50th Biennial National Conference of the

Fraternal Order of Police, August 11-16, 1991, as well as the 75th Anniversary of the organization, with the Ladies Auxiliary also convening their National Conference.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim August 11-16, 1991 as Fraternal Order of Police Week in the City of Pittsburgh to honor the respected members of our City's law enforcement, and welcome the delegates and their families to the nation's most safe and livable city. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

Now, we have Leo Marchetti here, we have Lieutenant McNamara whose always been an outstanding police officer in the City of Pittsburgh, we got Paul Wolack here, and we have of course the head of the Fraternal Order of Police, Lieutenant McNamara, who will say a few words here, and Lieutenant we thank you for what you do for the police in the City of Pittsburgh. You know its no easy task representing the rank and file. That's like hand to hand combat everyday, but they do a great job and we're honored to have you here.

Lieutenant McNamara:

President of Council, fellow Council persons, and of course its Lieutenant John McMahon who is our public relations officer for our newspaper. It's a great honor to be the President of the Fraternal Order of Police here in the City of Pittsburgh. I think its a greater honor to know that we're bringing the national

convention here to the City of Pittsburgh starting next Sunday.

Certainly, being a law enforcement officer I'm learning a hell of a lot about how to run a convention in the City of Pittsburgh. Every night we're getting calls, where's the hotel rooms, we're all the way out to the airport, we have filled every hotel room in the City of Pittsburgh.

It also was a great honor to learn two days ago that the President of the United States has seen fit to arrive here on Wednesday to address this convention, and I think that in itself is another great honor for the City of Pittsburgh.

Did you know the Fraternal Order of Police was started right here in Pittsburgh in Hazelwood in 1915 by two officers, that the Chief of Police was going to fire for starting the organization. They thought that police officers should have some representation, because they were working 30, 31 days a month, they did not have any days off.

In fact, their first piece of legislation was in 1917 from City Council and they gave them two days off a month. We're going to have an historical room down there for many people to come and see the background of the Pittsburgh Police Department and the Fraternal Order of Police. When they went to the Mayor of the City, it was Mayor Armstrong and he clearly told them, let those men operate and form their fraternal organization, and no Chief will stop them, and from the that day on it spread across the United States. I think there's 38 states coming here for the convention, and two countries, Canada, and we know they have one established in Ireland. It was established two years ago as an associate.

So, there's going to be a lot of great publicity. It's going to be a big lift to the economy here for the City next week. Conventions mean an awful lot to this City, and I'm sure that the law

enforcement officers will be in this Council, and all around the City.

So, I thank City Council, because you've been good to the Fraternal Order of Police. I know we have our difference of opinions at times, but that's what we're here for. We're both like sounding boards, but in the end we finally do win somehow, some way. We either do it through threats or cut something off or do something.

So, I learn from you like you learn from me, and I thank you all for the time here today in giving us this resolution, and especially the Community Relations Officers. I know what they go through with their Block Watch programs and the problems that exist out there. They do one hell of a job also, and I thank you for having us all here today, and thank you Councilman Regan, because you've done a great job for us, thank you very much.

Mr. Ferlo:

Mr. Chairman, Mr. Regan, I just want to thank Lieutenant McNamara and all the officers here today, as well as the other leadership from the F.O.P. for lobbying and bringing this convention to the City of Pittsburgh.

I'm sure over last several years there were many cities that were buying for this all important 50th Anniversary Convention. I just think we all owe them a big thank you from the whole City, and I think Pat has very articulately indicated the importance of this convention. I don't think the relevance of the people coming here but certainly the impact for our City. I think it's a great example for others in this City be they union, be they corporate, be they fraternal, to really promote this City, as Mr. Regan does everyday of his life.

And, I just want to thank them and Mr. McNamara. Council did this past week make a

contribution of \$5,000 to the efforts of the Police Historical Society for the convention and to get the museum off the ground. So, I just want to thank you for all your work.

Mr. Darkins:

Mr. President and my colleague Councilman Regan, I want to say to Pat McNamara and all of our men here from the Police Department and the F.O.P., I just thought it was a very courageous and an articulate thing that has been done that the Police Convention would follow the religious convention, and so you will definitely have peace in your convention.

Mr. Regan:

Are you saying Reverend that that's not necessarily in the order of importance, religion or the police? Thanks a lot Pat, we appreciate it.

I'd like to also welcome the President to pay us a visit in City Council, and we'll have a resolution for him. Although it's out of order, I think with the permission of our illustrious President, Mr. Wagner and our Finance Chairman, Mr. Milliones if the President of the United States has enough guts to show up in here next week, we'll give him a resolution to. For what he did for us in Saudi Arabia that's the least we could do for him. So, I want to send a telegram today to the President of the United States or a Fax, I guess they're even faster, that we welcome him here in Council next week, and our President will be at the door to meet him, thank you.

The Chair:

Members of Council, I have three resolutions today. One to be read, one to be held, and one to be read into the record.

It's an honor to present this resolution. I'd

like to ask the two people that are here to come forward to receive it. They are Mr. AlDowe who is the feature person in the Al Dowe quintet, a jazz performer. That quintet features Edda Cox. She is not with us here today, but we're honored to have Al here.

In addition, Tony Mowad the jazz producer and D.J. for the nightside program at WDUQ of Duquesne University, gentlemen welcome.

The Chair presents

No. 3035 WHEREAS, on Sunday, August 25, 1991 the Pittsburgh Jazz Society, a non-profit organization with over 3,000 members which supports, promotes and provides exposure for both local, as well as guest jazz artists, will hold its 4th annual "Jazz Day in the Park" at Boyce Park Ski Lodge; and

WHEREAS, the event will provide entertainment from 11:00 o'clock A.M. to 10:00 o'clock P.M. to create and enhance the appreciation of jazz in the City of Pittsburgh; and

WHEREAS, the City of Pittsburgh revels in being #2 in the United States as home to many jazz artists such as George Benson, Ahymad Jamal, Tommy Turk, Errol Garner, and countless others who have gone on to earn national fame; and

WHEREAS, this fourth annual "Jazz Day in the Park" will consist of artists such as Salsamba, Frank Cunimondo Quintet, Al Dowe Quintet, Gene Ludwig Trio, John Wilson's Big Band, Trio Grande, Roger Humphries and R.H. Faction, David and Maureen Budway Quartet, and a Jam Session.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Sunday, August 25,

1991 as "Jazz Day" in the City of Pittsburgh and encourages all Pittsburghers to attend this outdoor celebration.

Mr. Milliones moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair:

I am extremely honored that this City is number two in the country in terms of jazz. A lot of people don't know that but when they begin to hear the music of people like Al Dowe and others they understand that very well.

Many of the well known jazz artists got there start here in the City of Pittsburgh. Actually within walking distance of the City-County Building. Many of them right up near the Civic Arena in the Hill District, and its an honor for me, Tony, each year to present this resolution. I believe this is the fourth year running, and I'd like to ask Tony and Al to please say a few words.

Mr. Mowad:

Thank you very much, Council President and Council. We certainly do appreciate it. I told Roseanne we were number two, but that was very humbly, actually we're number one when it comes to jazz, and I'm not saying that just because for a little applause, but actually we really are. We've contributed more to jazz then any city in this country and it continues.

It's such a great honor to be here to be able to know that jazz has and is receiving the respect that it deserves. I've been involved in jazz most of my life, and I remember when I was a kid the word jazz was a dirty word, and actually that is the way, it was at the beginning, and the only place you could here jazz was in a smoke filled

room behind locked doors. Jazz has gotten the respect it deserves.

The best place to hear jazz today is in concert halls. There's a fine line between jazz and classical music. The musicians today are so talented. They do play a lot of classical music. I started playing classical music and fell in love with jazz, and it seems that that's the way it been over the years, and when you see people like Al Dowe and all other musicians that are going to be representing the jazz society its quite a thrill.

It is indeed America's only art form and it has received the credit it deserves, and we thank you very much for recognizing it as "Jazz Day", and you're all invited to come out to our picnic, August 25th. Again, thank you very much.

Mr. Dowe:

I just want to say its an honor to be here, and I'd like to say that since jazz is our contribution to the world I'm happy to live in a city where jazz is greatly appreciated. I think that's what makes Pittsburgh number one. Thanks for proclaiming August 25th, "Jazz Day".

The Chair presents

No. 3036 WHEREAS, the 15th Annual Ferguson Family Reunion will be held in the City of Pittsburgh from August 16-18, 1991; and

WHEREAS, in the past the Ferguson Family Reunion has been held in Baltimore, MD, Columbia, MD, Washington, D.C., New York City and in North Carolina; and

WHEREAS, over 100 members of the Ferguson Family will be in attendance for the reunion in Pittsburgh where family members will get reacquainted, strengthen their family ties, reflect on the past, rejoice, become revised,

refreshed and rekindle their love for one another.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby welcome the Ferguson Family to the City of Pittsburgh for their 15th Annual Reunion and thanks the family for choosing Pittsburgh as the site for the reunion.

BE IT FURTHER RESOLVED, that the Council bestows good wishes upon this family and asks that they visit Pittsburgh again in the near future.

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen for **Mr. Coyne** presented

No. 3011 Resolution providing for the issuance of a warrant or warrants in the amount of \$15,000.00 for payment to Sentry Oils & Greases, Inc., Leo Sentini, President, for the purchase of miscellaneous oils & greases for the City garage, payable from Code Account 1145, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 3012 Resolution granting unto Frank Kutz, 4000 Windgap Avenue, his successors and assigns, the privilege and license to contract, maintain and use at his own cost and expense a graded and paved turn-a-round area over a portion of the sidewalk of Washville Avenue in the 20th Ward, 2nd District of the City of Pittsburgh. This request is made by Frank H. Kutz and is the turn-a-round requested in Resolution No. 186, effective Date March 8,

1991.

Also,

No. 3013 Resolution granting unto Samual and Janet Taylor, 1500 Fernleaf Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a planted area and fence on a portion of the sidewalk of Eccles Street in the 16th Ward, 3rd District of the City of Pittsburgh. This request is made by Samual and Janet Taylor that due to the remodeling of the old fire hall the planted area is required.

Also,

No. 3014 Resolution granting unto Russell Webb, 2001 Perrysville Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense a planted area and fence on a portion of the right-of-way of Perrysville Avenue in the 26th Ward, 1st District of the City of Pittsburgh. This request is made by Russell Webb to further enhance the appearance of his building.

Which were severally read and referred to the Committee on Public Works.

Mr. Millions presented

No. 3015 Resolution providing for the issuance of a \$3,147.14 warrant in favor of Lewis H. Dowdy for automobile damage by a City Police vehicle on March 22, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 3016 Resolution providing for the lease or leases of certain property on the first floor of 908 Penn Avenue from September 1, 1991 for a term of 36 months, at a rental of \$2,500.00 per month to house the Joint Jobs Initiative Single

Point of Contact (SPOC) Project Office upon certain terms and conditions. Said lease or leases shall be effective September 1, 1991. The total rental for 36 months shall not exceed \$90,000.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 3017 Resolution providing for the lease or leases of certain property on the fourth floor of 1700 East Carson Street from July 1, 1991 for a term of 24 months, at a rental of \$811.45 per month, to house the City's Joint Initiative Program Single Point of Contact Project Office upon certain terms and conditions. Said lease or leases shall be effective July 1, 1991. The total rental for the 24 months shall not exceed \$19,474.80, chargeable to and payable from JTPA-1 Trust Fund.

Also,

No. 3018 Resolution amending Res. No. 271, eff. April 5, 1991, entitled "Providing for an Agreement or Agreements or for the use of existing Agreements with a Consultant or Consultants for a mixed media package in connection with the Fair Housing Assistance Program of HUD, and providing for the payment of costs thereof," by increasing the allocation by \$3,300.00 from \$20,000.00 to \$23,300.00, chargeable to and payable from the HUD Trust Fund, Commission on Human Relations.

Also,

No. 3019 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 3020 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 3021 Resolution delaying the implementation of the Fire study of the Bureau of Fire until the Council of the City of Pittsburgh receives and reviews the Study, and conducts a Public Hearing. --(SPONSORED BY MR. REGAN)

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 3022 Communication from Michael Perry, City Clerk, submitting the Second Quarterly Travel Report for 1991 from various departments.

Also,

No. 3023 Communication from Mary K. Conturo, City Solicitor, submitting a quarterly report of the settlement of small claims not exceeding \$750.00 for the Second Quarter of 1991, payable from Code Account No. 1081, Petty Claims. Also, submitting a quarterly excess of \$750.00 for the Second Quarter of 1991, payable from Code Account No. 46, Judgments.

Which were read, received and filed.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the

meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Millones presented

Bill No. 3024

Report of the Committee on Finance for July 31, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2927

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$721.40 in payment of Railroad Flagging Services required for Inspection of the Radcliffe Street and South 12th Street Bridges; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Darkins Mr. Regan
Mr. Ferlo Mr. Ricciardi
 Mr. Wagner
 (Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2937

A Resolution entitled, "Resolution transferring Four Hundred Sixty One Thousand Seven Hundred Ninety Two Dollars (\$461,792), Code Account CC, Community Communications Trust Fund, (Index Code 250555), to the General Fund, (Index Code 017939) City of Pittsburgh for reimbursement of indirect costs and employee benefits costs incurred by the Bureau of Cable Communications for 1991."

Which was read.

Mr. Ferlo:

Mr. President, I'd like my comments brought forward on Bill 2937. I'm going to vote no on Bill 2937.

On 2937 we're talking the indirect cost on employee benefit reimbursement from the Cable Trust Fund in the amount of \$461,792. My problem is quite frankly that as a result of the five percent franchise fee the city government through the cable operation receives about \$1.6 million, as the rates continue to go up they will actually be receiving an increased amount of an appropriation.

As was discussed at the meeting granted these are not tax dollars, however they are revenues that come back into the city. I disagree strenuously with the allocation of the \$461,000. I believe more of that money should be returned to the general operating budget and not just the \$461,000 plus.

I'm voting no for that reason and I would ask that during the budget debate that we get some independent review and analysis of what those costs should truly be, and whether or not more of those monies can't be returned to the operating budget.

That's even more of my concern giving the spending practices of Brother Emenecker, as I look around the ninth floor and I see some of the expenditures for art pieces alone. One would suggest that maybe someone's not watching how these dollars are being spent, and I think that's a very legitimate concern, and I would hope that that would be part of the budget debate.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2937-Wednesday, 7/31/91)

Mr. Ferlo:

Brother Richard, could you give us an idea, what is the total amount of money for the operating budget of Cable, based on the franchise revenues?

Brother Richard:

I believe this year -- I don't have the exact figure with me -- but I think it is \$1.6 million is the budget for the Cable Bureau.

Mr. Ferlo:

Of that figure, you are saying 461,792 is reimbursed?

Brother Richard:

That is correct.

Mr. Ferlo:

That is for, as you explained, the percentage of employee overhead?

Brother Richard:

Yes. It includes space allocation for the ninth floor area that we use, city services, such as vehicle maintenance and fuel.

Mr. Ferlo:

It is that area that I have a problem with. I have always felt that for the amount of money that we get in the franchise revenues and for the amount of money that you have to spend, given the things I think you spend it on, I don't see why more of that money shouldn't come back to the general fund.

Who figures out this allocation process?

Brother Richard:

That is worked out with the budget office. Most of our expenditures are handled directly through the trust fund, but when you have, too, employee benefits, such as \$5,000.00 per employee for health benefits --

Mr. Ferlo:

If we wanted more of that revenue to come back to the general fund, what is to prevent city government from saying, "We want to you pay fair market value for rent," or whatever arrangement we work out? What I am basically asking is how do we get more of that money back in the general fund? You may not be a proponent of that.

Brother Richard:

What we are doing is saying --

Mr. Ferlo:

Who figures out the allocation process?

Brother Richard:

That is worked out with the budget office.

Mr. Ferlo:

Is there anybody here from the budget office that I could address a question to, Mr. Chairman?

The Chair:

Who would that be?

Mr. Ferlo:

Mr. Turner? Who does it?

Brother Richard:

The budget office would ultimately be Carolyn Marks and ultimately the Administration.

But again, most of our expenditures, everything that we can bill directly and pay for directly out of the trust fund, we do. But when you get into things like basic overhead and the minimal amount that General Services provides to us, because any painting or anything else we try to get that paid for directly, it was calculated to come out to 48 percent of salaries, which is salaries that is roughly \$600,000.00, so it is 48 percent of that, plus the employee benefits and pension and contribution, is all paid for in this lump sum amount.

I would also point out that if we are going to continue to provide services and regulation and utilization, those services have a cost attached to them, but those costs cannot be borne by

taxpayers; it is paid for out of that trust fund franchise fee.

Mr. Ferlo:

I voted no in the past and I will continue to vote no on this, because I don't believe that is the fair reimbursement to the general fund.

Brother Richard:

I think if you are talking fair market value of the rental --

Mr. Ferlo:

That is just one possible expense that I think you should be charged for. There may be others. I think it is a minority view point on Council, so I will not belabor the point.

(Deleted text.)

Mr. Ferlo:

The one issue that is related is as the rates for TCI increase, so does ultimately the available revenue under the franchise 5 percent agreement coming back to city government. So, in fact, the greater the rates are, the more you have to operate as a budget for city cable. I think in light of that, we should be getting more money back in the general fund. There is some relationship.

Brother Richard:

There is a full cost reimbursement for all of the costs for employee benefits and the indirect costs, and to the degree that the finances permit, we are able to provide additional services to all city departments.

Mr. Ferlo:

Anyone visiting the ninth floor would suggest you have a lot of money to spend.

Brother Richard:

I think anyone visiting the ninth floor is going to see a facility that was --

Mr. Ferlo:

In fact, anyone visiting a number of floors with some of your art pieces would suggest that you have a lot of money to spend.

Brother Richard:

What they are going to see is a facility that was renovated five years ago and that has been kept up to that degree.

Mr. Ferlo:

Every year you spend thousands on equipment.

Brother Richard:

That is correct. I appreciate your comment, that it is to our credit that we do that.

Mr. Ferlo:

I don't disagree with that. I question how the allocation process is figured out. My problem is I think more money should come to the general fund.

(End of remarks.)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Regan
Mr. Darkins Mr. Ricciardi
Mr. Milliones Mr. Wagner
 (Pres't)

AYES 6 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2949

A Resolution entitled, "Resolution providing for the issuance of a \$850.00 warrant in favor of Michael J. Hart for automobile damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 2950

A Resolution entitled, "Resolution providing for the issuance of a \$1,261.40 warrant in favor of George Hall in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 2951

A Resolution entitled, "Resolution providing for the issuance of a \$1,325.00 warrant in favor of David Orwig and providing for the payment thereof."

Which was read.

Also,

Bill No. 2952

A Resolution entitled, "Resolution providing for the issuance of a \$1,080.00 warrant in favor of Richard L. Fox and Barbara Fox Fleischer in settlement of claim for sidewalk damage."

Which was read.

Also,

Bill No. 2953

A Resolution entitled, "Resolution providing for the issuance of a \$1,536.69 warrant in favor of Diane M. Zippi in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Darkins Mr. Regan
Mr. Ferlo Mr. Ricciardi
 Mr. Wagner
 (Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2954

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an independent accounting firm to perform the annual audit for the City of Pittsburgh for a period of three years and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2957

A Resolution entitled, "Resolution providing for the conveyance of certain property in the 16th Ward, City of Pittsburgh, designated as Block and Lot 13-C-258 to Ronald J. Hays for the sum of \$300.00."

Which was read.

Also,

Bill No. 2958

A Resolution entitled, "Resolution Repealing

Resolution No. 600, Item G, effective July 15, 1986, which authorized the sale of property in the 16th Ward, being a vacant lot 74.68' x 3.01' x 2.02 x 53.85' x 26.82' x 31.26' located at 2321 Primrose Street, designated as Block 13 C, Lot 258, to Ronald J. Hays, for the sum of \$300.00."

Which was read.

Also,

Bill No. 2959

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Darkins Mr. Regan
Mr. Ferlo Mr. Ricciardi
 Mr. Wagner
 (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2972

A Resolution entitled, "Resolution providing for the transfer of funds totalling \$150,000 (one hundred fifty thousand dollars), from Code Account 1177, Index 117705, Refuse/Ash Disposal, Department of Environmental Services (\$50,000), Code Account 1165-9, Index 116509, Workers Compensation, Department of Environmental Services (\$20,000), and Code Account 1043, Index Code 104307, Miscellaneous Services, Computer Information Systems (\$80,000), to Code Account 1160-1, Index Code 116012, Premium Pay, Department of Environmental Services, in order to meet the obligations of the premium pay payroll for the remainder of the year 1991."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on Bill 2972. I'm going to vote no on Bill 2972.

On 2972 this is a \$150,000. This is money that somehow some Director forgot that Martin Luther King's birthday was to be the paid holiday the actual birth date of Dr. King for the Environmental Services Workers. As a result we now have to shell out of \$150,000 of city tax dollars to pay for that oversight.

I would only ask in approving this bill today even though I'm voting no, if the code account to pay for this would come out of Director Turner's salary or Director Walker's salary I would vote for it, but I'm not for robbing those other code accounts. I think people made a mistake and they should be held financially accountable.

In relation to that issue though I hope that we're going to learn something. The Director's

themselves don't negotiate the collective bargaining agreements with the various work forces, but when and if those agreements become law I would hope that somebody, especially Director Turner, who I would assume its his job, would take the time to inform the Director's of what they're responsibilities are pursuant to the collective bargaining agreement or their high paid consultant Mr. Schneider. But, somebody should do that so indeed this problem doesn't come up again.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 2972-Wednesday, 7/31/91)

Mr. Ferlo:

I had a question about the bill appropriation. Are we discussing the bill now?

The Chair:

If we can. This is his last day or would you rather hold it? It is up to this body.

Mr. Ferlo:

Are people not going to get paid unless we approve this today?

Mr. Walker:

I think it is very important that you approve it today.

Mr. Ferlo:

I would ask the Director to come to the table. I ask that we not hold it, but vote on it today up or down, because I do believe it involves people getting paid.

As you know, I didn't vote for the bulk waste pickup program, which I didn't think would work, and there is every indication that I was right. Why should we pay for this money now? What is this \$150,000.00 and how is it you are able to pull from all these code accounts? What is this refuse ash disposal? You took \$50,000.00 from that, you are dumping some computer information system, which I guess you didn't need that money in the first place. How is it you are creating all this money and why is it needed?

Mr. Walker:

First of all, the refuse and ash is the code account where we pay Chambers for dumping our refuse.

Mr. Ferlo:

Right.

Mr. Walker:

The reason for needing this money --

Mr. Ferlo:

You took 80,000 from Computer Information Systems.

Mr. Walker:

This is not out of my code account.

Mr. Ferlo:

That is from CIS's code account?

Mr. Walker:

Right. The reason for the need of this money is if you remember the first part of the year, there was some confusion about the contract that was signed. Everyone else celebrated Martin Luther King's birthday on the designated day.

Mr. Ferlo:

Why does this have to come up on your last day?

Mr. Walker:

That's all right. We celebrated it on the actual day. That information was not conveyed to me, and we had to pay triple time.

Mr. Ferlo:

So it should come out of Bernie Schneider's paycheck.

Mr. Walker:

I am not here for that. So consequently, we spent alot of money there.

Mr. Ferlo:

Offhand I would say \$150,000.00 is a lot of money.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
	Mr. Wagner
	(Pres't)

AYES 5 NOES 2

VOTING NO:

Mr. Ferlo
Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2978

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Albert Petrarca, 5703 E. Liberty Boulevard, Pittsburgh, PA 15206, in the amount of \$1,400.00, in payment for professional consulting services rendered to Councilman Jim Ferlo."
--(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

Mr. President, on Bill 2978 on the expenditure for payment of somebody that did

some work in my office, I'd like to ask that the legislation become law upon the signature of the Mayor.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 2999

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of A. G. Timble Co., 600 Clark Building, Pittsburgh, PA 15222, in the amount of \$1,535.32, in payment for professional consulting services rendered to Councilman Jack Wagner, chargeable to and payable from Code Account 1001-2, (Index Code 100123) Salaries, Wages and Services of Council." --(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2973

A Resolution entitled, "Resolution transferring the amount of \$5,000.00 from Code Account 10 (001008), Accounts Payable - Prior Years, to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation."
--(SPONSORED BY MR. DARKINS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 3025

Report of the Committee on Public Works for July 31, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2938

A Resolution entitled, "Resolution granting unto Computerm Corporation, 100 Wood Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense an electrical vault on a portion of the sidewalk of Wood Street in the 1st Ward, 6th District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 3026

Report of the Committee on Planning, Housing and Development for July 31, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2942

A Resolution entitled, "Resolution amending Resolution No. 893, effective November 21, 1989, entitled 'Resolution authorizing the Mayor and the Director of City Planning to enter into an Agreement or Agreements with a Consultant or Consultants for the purpose of obtaining design, survey, engineering and other professional services for the construction of pedestrian circulation improvements at Three Rivers Stadium, at a cost not to exceed \$350,000.00."

Which was read.

The Chair:

I'd like my comments brought forward on Bill No. 2942.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 2942-Wednesday, 7/31/91)

Mr. Wagner:

Director, I am becoming a little frustrated with this project. I recall a year and a half ago that Councilman Milliones, Councilman Regan and myself -- and I have proof of it because I have a picture in my office -- a year and a half ago we were over there to celebrate the announcement of this and the state funds that had become available. As a matter of fact, the Governor was there and spoke. I don't know if other Councilmembers were there, I am sorry if I missed a couple. That was a year and a half ago.

There has been alot written about this and the need for it, and there truly is a significant need for it, not just for the stadium, but also the Science Center that is opening up in October of this year. And we eliminated parking spots in the immediate vicinity of the stadium to accommodate the Science Center; therefore, we need better access, particularly pedestrian access to the stadium, the whole North Shore, and the new Science Center.

You said there are three phases, the one being the Downtown side to the steps. The second phrase is --?

Ms. Downing:

It is from the steps. It is the ramp from the steps to the stadium itself, and then the improvements to Gate C.

Mr. Wagner:

Okay. Why are there delays on the property that is totally controlled by the city?

Ms. Downing:

There were bids on that portion of it last winter, and the bids were too high, so they had to redesign that portion. So that is basically what the delay was.

Mr. Wagner:

Why so long to redesign and rebid?

Ms. Downing:

It is almost ready to bid now. I don't know the answer to that.

Mr. Wagner:

You haven't answered my question. Why so long for redesign and rebid?

Ms. Downing:

I don't know that. Perhaps Director Whitmer could help us.

Mr. Wagner:

Who is in charge of this project?

Ms. Downing:

It is a joint effort. The contract on the first part was actually managed by the Planning Department, and it is under contract or we have an architectural firm who is actually doing the work. And we are working in conjunction with the Stadium Authority, the Department of Engineering and Construction. So all three public agencies are involved in this.

Mr. Wagner:

Who is the singular person in city government that is in charge of the project?

Ms. Downing:

I think it is divided, because there are two pieces to it. The Department of Engineering & Construction is now responsible for the bridge portion. It is the collaborative that I just described, between the Stadium Authority, the Planning Department and Engineering & Construction Department have been managing the first part.

Mr. Wagner:

Maybe that is our problem; maybe there is no one person in charge of this project.

I have to tell you, I am frank about this, on the city portion of this project from the steps on the North Shore to the gates, of which we are going over city roads and we are on city owned property, this project should be completed, also the other side of the river where it involves the park. I can see some problems encountered from Federal Highways, the Corps of Engineers and et cetera, et cetera, state government, PennDOT, on the bridge portion from one side of the bridge to the other, getting the appropriate approvals, to hang a new walkway or extend a walkway on an interstate highway over a river for

navigation purposes. But in regard to the other pieces of this project, it should be completed. And there is a serious lack of someone at the controls on this project. And I have to tell you, it is causing loss of revenue to Three Rivers Stadium and it will cause loss of revenue to the Science Center and will impede access back and forth from the Downtown to the North Shore. I really don't think there has been a priority placed on this project, and I would like to see that assigned to one individual, and that individual provide status reports on a monthly basis to this Council. Can you do that?

Ms. Downing:

I can arrange to have that done, yes.

Mr. Wagner:

Who will that be?

Ms. Downing:

I am not sure at this point. My staff, Chris Shea has been managing the contract, the documentation from the state in order to receive the funding. However, my staff are not engineers, so we will not be overseeing the actual construction of this project. There will be an assignment made from the Department of Engineering & Construction for that purpose, so we will get the appropriate person in the appropriate reports.

Mr. Wagner:

You know the Pirates are crying out for this project.

Ms. Downing:

We have been working right along side with them. It may seem like it is a long time, but actually things have moved along quickly, and we are confident, in fact, it will be completed by next spring.

Mr. Wagner:

The whole project?

Ms. Downing:

No, the first portion that is under city control, which is from the steps to the stadium.

Mr. Wagner:

I don't think that is adequate, because any bottleneck in this project causes problems with the traffic flow. It is almost like four roads leading into two roads with automobile traffic, you have the same thing with the pedestrian traffic after a major event at the stadium. And if you don't extend the whole walkway, the whole walkway won't benefit us. The whole project has to be completed by next April.

Ms. Downing:

Well, it is unlikely that we can secure the federal approvals for the bridge portion of it by next spring.

Mr. Wagner:

I don't believe that. That is really where we have a problem. If someone gets on the phone with Congressman Coyne, Senator Wofford, Senator Spector, you will have the approvals. That is not happening here. I could pull out the record and I could show you where you said at this table two years that this would be open for the Pirate season of 1990.

Ms. Downing:

Right. At that time we expected the entire source of funding to come from the state. We did not expect that we would be going through the federal approval process for Highway funds. After the determination was made that the state would, indeed, fund this, they determined that the best source of funding for the bridge portion was from the Federal Highway Administration, and that is a more complicated process than if it were simply state funding.

Mr. Wagner:

The Governor made the promise for the money for the project, so take the money from the Governor and reimburse the federal government. Don't let them talk us out of anything here. He made a commitment, a public commitment, of over \$4 million for this project, and now we are saying they are not going to commit and we are going to wait for the federal government to give us the money?

There is something wrong here, something seriously wrong in this project. For some reason it is not viewed as being the priority project that it is, and I really think it should be and it is not. The whole project should have been completed by now. And certainly, we should demand that this project be completed by the opening of baseball season 1992. It should be open for

the new Science Center in October of this year, quite frankly. It is harming hotel business at the Hilton. I mean, the Hilton is complaining to me about it, because they see this as an opportunity to tie in with stadium events, Science Center events. And if this is a problem here -- this is a problem. The specifics of the problem need to be identified and we need to get people involved to expedite the project and complete it.

So I would like someone appointed to oversee it, and I would like status reports provided to Council on the progress of the project.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 2944

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and D. Thomas Mistick and M. Robert Mistick for the sale of Parcels 3, 3A and 5 in the 25th Ward of the City of Pittsburgh in Redevelopment Area No. 49 (CONSTRUCTION OF TRUCK DISTRIBUTION FACILITY)."

Which was read.

Also,

Bill No. 2910

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$605,000."

Which was read.

Mr. Ferlo:

Mr. President, I'd like to make a motion to amend Bill 2910, by reducing the amount from \$605,000 to \$542,500. Basically, representing a reduction of \$62,500.

Mr. Ricciardi seconded the motion.

Mr. Ferlo:

Since it's been seconded briefly to explain, this represents a fund balance of \$62,500 technically in control of City Planning the ACCBO Board. This money was not disbursed

to community organizations during a competitive application process that went on, and monies were disbursed in the amount of \$505,000. Its a fund balance and I would ask that we entertain other proposals for the use of these dollars either from the Administration, for instance an example would be a lot clean up in CD neighborhoods or from Council members respectively.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi

AYES 4 NOES 3

VOTING NO:

Mr. Cohen
Mr. Milliones
Mr. Wagner
(Pres't)

The Chair:

The motion is defeated.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo:

Mr. President, I respectfully request a motion to reconsider Bill No. 2910.

Mr. Ricciardi seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES 1

(MR. COHEN VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion to reconsider

passed finally.

Mr. Ferlo:

Mr. President, I'd like to make a motion to amend Bill 2910, by reducing the amount from \$605,000 to \$542,500. Basically, representing a reduction of \$62,500.

Mr. Ricciardi seconded the motion.

Mr. Milliones:

I'm not going to vote to support that amendment. I will vote to reconsider the bill for discussion tomorrow. I'm not voting to reduce the expenditure at this point.

The Chair:

Okay, that's not the motion on the floor. The motion on the floor is the proposed amendment after reconsideration of the bill.

Mr. Ferlo:

Call the question Mr. President.

The Chair:

Is there any discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 5 NOES 2

VOTING NO:

Mr. Cohen
Mr. Milliones

And a majority of the votes of Council being in the affirmative, the amendment passed finally.

The Chair:

Is there any discussion on the bill as amended?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins Mr. Regan
Mr. Ferlo Mr. Ricciardi
 Mr. Wagner
 (Pres't)

AYES 5 NOES 2

VOTING NO:

Mr. Cohen
Mr. Milliones

And a majority of the votes of Council being in the affirmative the bill as amended passed finally.

Mr. Cohen for Mr. Coyne presented

Bill No. 3027

Report of the Committee on General Services for July 31, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2995

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contract or Contracts to purchase a Customized Surveillance Systems Van, fully equipped with Electronic Equipment and Accessories and one (1) modified Step Van for use in the ONI Division; three (3) modified Mini Vans for use in the DARE unit, Bureau of Police, Department of Public Safety, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Darkins Mr. Regan
Mr. Ferlo Mr. Ricciardi
 Mr. Wagner
 (Pres't)

AYES 7 NOES none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 3028

Report of the Committee on Parks and Recreation for July 31, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2960

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Morningside Baseball Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Seven Thousand (\$7,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2961

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the National Achievement Clubs for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2962

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the East Liberty Development Corporation for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Hundred (\$500.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2963

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Garfield YMCA for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2921

A Resolution entitled, "Resolution authorizing a lease with the Pittsburgh Ballet Theatre for a

portion of real property located on Liberty Avenue between 29th and 30th Streets to be used as a parking facility relating solely to ballet purposes."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2974

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western PA Police Athletic League, for the benefit of the City of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Department of Parks and Recreation."
—(SPONSORED BY MR. DARKINS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	

AYES 5 NOES 2

VOTING NO:

Mr. Milliones
Mr. Wagner
(Pres't)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 3029

Report of the Committee on Engineering and Construction for July 31, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2928

A Resolution entitled, "Resolution amending Resolution No. 595, effective July 9, 1985, entitled 'Providing for an Agreement or

Agreements with a Consultant or Consultants, for professional engineering services in connection with the Design of the Rehabilitation of the Schenley Park Bridge over Boundary Street; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement and by increasing the total project allocation by \$25,000.00."

Which was read.

Also,

Bill No. 2929

A Resolution entitled, "Resolution further amending Resolution No. 340, effective April 21, 1989, as amended by Resolution No. 451, effective June 6, 1989, entitled 'Providing for a contract or contracts, or use of existing contracts, and/or Agreement or Agreements, or use of existing Agreements, for the Renovation of Spring Hill Ballfield and Playground; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$8,763.79."

Which was read.

Also,

Bill No. 2930

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, Agreement or Agreements, or use of existing Agreements, and the purchase of Equipment and Materials in connection with the Renovation of the Baxter Playground; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2931

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Replacement of the Shadeland Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2932

A Resolution entitled, "Resolution authorizing and directing the construction of an extension of 158' (one hundred fifty-eight feet) of a public sanitary sewer on Campus Street between Harbbison Street and Diploma Street in the 27th Ward, including all other work necessary in connection therewith; letting a contract or contracts therefore, and providing that the costs, damages and expenses of the same be assessed against and collected from property specially benefited thereby."

Which was read.

Also,

Bill No. 2934

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by creating a new line item EC91-405 (Baxter Playground

Renovation Trust Fund Transfer)."

Which was read.

Also,

Bill No. 2935

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as the 'Baxter Playground Trust Fund', for the deposit of funds to be used for the Renovation of the Baxter Playground."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
	Mr. Wagner
	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

Bill No. 3037 Communication from

Mayor Sophie Masloff, informing Council of the reappointment of Bernard Kobosky, 4760 Bayard Street, Pittsburgh, Pennsylvania, 15213, to the Public Parking Authority Board of the City of Pittsburgh for a term to expire May of 1995.

Also,

Bill No. 3038 Communication from Mayor Sophie Masloff, informing Council of the reappointment of Councilman Duane Darkins, 7016 Upland Street, Pittsburgh, Pennsylvania, 15208, to the Public Parking Authority Board of the City of Pittsburgh for a term to expire May of 1996.

Which were read, received and filed.

Also,

Bill No. 3039 Resolution appointing Brian Weakland, 5609 Elmer Street, Pittsburgh, Pennsylvania, 15232, as a member of the Water Exoneration Board for a term to expire July of 1993.

Also,

Bill No. 3040 Resolution appointing Don Walko, 97 Watson Boulevard, Pittsburgh, Pennsylvania, 15214, as a member of the Water Exoneration Board for a term to expire July of 1993.

Also,

Bill No. 3041 Resolution appointing Marion Monheim, 320 Fort Duquesne Boulevard, Pittsburgh, Pennsylvania, 15222, as a member of the Ethics Commission for a term to expire June 15, 1992.

Also,

Bill No. 3042 Resolution appointing

Michael J. Lynch, 1832 Shaw Avenue, Pittsburgh, Pennsylvania, 15217, as a member of the Ethics Commission for a term to expire June 15, 1993.

Also,

Bill No. 3043 Resolution appointing Tom Solomich, 5710 Aylesboro Avenue, Pittsburgh, Pennsylvania, 15217, as a member of the Ethics Commission for a term to expire June 15, 1994.

Also,

Bill No. 3044 Resolution reappointing Ralph Proctor, Jr., 322 North Lang Avenue, Pittsburgh, Pennsylvania, 15208, as a member of the Human Relations Commission for a term to expire July of 1995.

Also,

No. 3045 Resolution reappointing Herman Reid, 1554 Petunia Street, Pittsburgh, Pennsylvania, 15210, as a member of the Minority and Women Business Enterprise Review Committee for a term to expire April of 1992.

Also,

Bill No. 3046 Resolution reappointing Kellen McClendon, 5624 Fifth Avenue, Pittsburgh, Pennsylvania, 15222, as a member of the Minority and Women Business Enterprise Review Committee for a term to expire April of 1992.

Also,

Bill No. 3047 Resolution appointing Regina Holley, Ph.D., 753 Chautauqua Court, Pittsburgh, Pennsylvania, 15214, as a member of the Minority and Women Business Enterprise

Review Committee for a term to expire April of 1992. Ms. Holley is replacing Betty Pickett.

Also,

Bill No. 3048 Resolution appointing Stanley Stein, 428 Boulevard of the Allies, Pittsburgh, Pennsylvania, 15219, as a member of the Minority and Women Business Enterprise Review Committee for a term to expire April of 1992. Mr. Stein is replacing Laverne Wheeler.

The Chair:

On the reappointments is there a desire from any Council member to have any reappointment come in front of Council? If not I would ask for a motion to approve the reappointments.

Mr. Millones moved to approve the reappointments.

Mr. Cohen seconded the motion.

The Chair:

Any discussion?

Mr. Ferko:

My concern is on the appointments to the MBE/WBE Review Committee, Mr. McClendon, Dr. Reid, and Mr. Stein, I'd like to see some discussion.

And, I continue to raise the issue in the past about Entrepreneurs, Minority Business people themselves not be represented on the Committee. There may be some rationale or some reason.

McClendon and Reid, also serve on the Board of the Housing Authority. I'd like a fuller appreciation for what expertise they will lend to

the review process.

The Chair:

So, you would like those people to come in front of Council?

Mr. Ferlo:

I would, but if there's no support for it, I'll just vote it up or down today.

The Chair:

What is the will of Council?

Mr. Millions:

I have no objection Mr. President to anyone coming to the table if a particular Council member has some concern.

The Chair:

Okay, with the reappointments and the new appointments then we would ask them all to come in front of Council. The problem is the time problem.

Mr. Millions:

I thought he was just objecting to three people not all of them.

Mr. Ferlo:

I wasn't even objecting, I was only asking that we have some discussion with Mr. McClendon, Dr. Reid, and Mr. Stein relative to the MBE/WBE Review Committee.

The Chair:

Okay, we will hold those three as part of the reappointments. On the other

reappointments.

Mr. Perry:

That's all there is. There is three.

The Chair:

That's all there is, those three?

Mr. Perry:

Three reappointments.

The Chair:

Okay. Therefore, we will ask all reappointments and all new appointments to come in front of Council.

Now, I would ask that we have the two Water Assessor appointments come in front of Council as soon as possible. Due to the void within the Water Assessor's in handling the back log of cases.

Mr. Cohen:

Mr. President, I may have missed something, but was there an interest expressed for the new appointments to come before Council? Was that your interest, Mr. President?

The Chair:

Yes, that's generally procedure.

Mr. Cohen:

Okay.

The Chair:

Unless anyone wants to simply move on appointments without that.

Mr. Cohen:

That's fine. My only concern is that tomorrow being the last meeting we certainly want to get the Water Assessor Board moving quickly. If we have the chance to bring them up tomorrow that is great, if not it's going to delay things a little bit. I guess the same is true with the Ethics Commission. If we can do it tomorrow that is great, but if not I think we're going to have another month delay.

The Chair:

Fine. Okay, Mr. Perry will see particularly to place a priority on the Water Assessor's trying to get them in front of Council tomorrow.

WHICH MOTION PREVAILED.

Any other items to be brought before Council?

Mr. Ferlo:

Mr. Chairman, I'm concerned about another infrastructure, development, beautification project either being delayed or stalled, and that is in the Penn-Liberty Cultural District.

It is my understanding that basically the streetscape improvements that are underway and are being contracted by the Urban Redevelopment Authority and the Cultural Trust along the Penn Avenue Corridor from the Convention Center down to Ninth Street. This is the streetscape that all of Council has supported, the brick work, the trees, the lighting, etcetera.

The contract that originally was in the hands if I can understand this myriadive problem that exist. Penn Paving Company had the

contract, they defaulted voluntarily with the bonding company, Reliance. Reliance Bonding Company hired another contractor Rockway which is the family of this company Penn Paving, they defaulted, they're not doing the work so the bonding company ditches them and enters into a new relationship with another company Divaro.

Now, Divaro's having a problem either getting money or paying their subcontract, so as a result for the last several weeks work has stopped on this project. The streets a mess. If anybody's driven down the area its a hassel getting around the Penn Avenue section that I've talked about because of the construction activity that was left half done.

I think what I'm basically asking is for a report formally from I would believe Director Whitmer or someone from the Administration regarding why this project is delayed, what are the legal problems that need to be resolved, when is work going to be resumed.

I find it interesting also that the second phase of this from Ninth down to Heinz Hall has been let out to yet another construction company, Puglione. It just seems like a mess. I hope its not a mess, but it seems like a mess. And, I think we're owed an explanation on exactly what's going on.

I'd like to ask in a the form of a motion that we get an update from the URA or someone from the Administration explaining what actually is going on.

Mr. Milliones seconded the motion.

Mr. Milliones:

I'm sure Mr. Whitmer would have no objection. He has attempted to keep me abreast of the situation, being a member of the board, and given that its in my District. So, I don't think that

there would be a problem with getting an explanation from him relative to Mr. Ferlo's concerns.

Mr. Ferlo:

Thank you.

WHICH MOTION PREVAILED.

Mr. Regan:

I have a couple of comments here. Number one on my way to work last week I saw the Delta Queen parked on the Monongahela River side, and I saw a lot of people getting off, so I went down to see this ship, and 397 people got off that boat. Some of them stayed in Pittsburgh as long as five days. There wasn't one sign that said, "Welcome to the City of Pittsburgh We're the Number One City in America Now That You're Here." There wasn't one person from the City of Pittsburgh there to greet them. Three Hundred Ninety Seven people from all over the world. I'm one of the lesser luminaries here in City government, but I jumped on board and thanked them for coming to Pittsburgh, and shook hands, and introduced myself as a Councilman.

I think it's a damn shame that that many people get off a boat in the City of Pittsburgh, and there's not one sign to welcome them to our City, or not one person representing the City in anyway shape or form to welcome them here.

There's not one billboard outside the City of Pittsburgh that says, "This Way To The Number One City In America". Not one billboard.

I take exception to the way that this City is promoted, and I feel that something has to be done. It's a shame when that many people come and visit our City and some stay for as much as

five days that we don't even welcome them here.

And, a lot of them were here for the Regatta. And, anybody that wasn't down to see the Regatta, that's an outstanding event, and it really makes the City of Pittsburgh look good.

At this time I'd like to commend our Police, Firemen, and Paramedics for the job that they did at the Regatta. They said there was upwards of 300,000 in the two days that they were here.

And, I would like to ask the President of this Council that we make a strong effort to promote this City a lot better than it has been promoted. Thank you.

The Chair:

Thank you, Councilman Regan. I wish that control were totally within Council, but it is not, and Council I know was the focal point in putting in the budget the "Marketing and Promotion" position in the Mayor's office, and we would hope with the funding in that position that that would be carried out from the Administration, where it appropriately should be.

Mr. Regan:

Well, you know climbing on board this boat it was a magnificent boat, the carpet was gorgeous. It was just beautiful. It looked a hell of a lot better than the Edison Hotel, I can say that.

Mr. Ferlo:

Do you know that first hand, Councilman?

Mr. Regan:

No, but I've seen pictures and I've heard about the Edison. In fact, when my residency

was in jeopardy someone thought I may be staying in the Edison Hotel.

Mr. Ricciardi:

You noticed Mr. President, I'm not getting involved in that conversation between Mr. Ferlo and Councilman Regan.

On another note if I may, Mr. President, during yesterday's public hearing of the MacIntosh Buildings I sighted my displeasure with the Historic Review Commission for not recommending or denying the historic significance of several buildings here in the City of Pittsburgh, and I realized that they were making their recommendation in light of a Philadelphia case with a Supreme Court ruling, but that is not their domain. They're responsibility was to either recommend or deny historic significance for buildings in the City of Pittsburgh, and I feel as though they've been derelicted in their responsibilities.

As I stated yesterday, I am sincerely considering abolishing the Historic Review Commission. What I'm asking Council members to do in some dialogue, if they would support a letter from this body, direct it to the Historic Review Commission asking them if in the future, if they're going to be taking the same position which is no position on historic significance for buildings, or if they're going to follow their responsibility and comment just on the historic significance of buildings.

So, I would ask my colleagues now if they would support a letter to John DeSantis, Chairperson of that Commission and ask them what their future plans are concerning hearings and their stances on historic significance on buildings throughout the City of Pittsburgh.

Mr. Ferlo seconded the motion.

Mr. Cohen:

Thank you, Mr. President. I agree wholeheartedly with Councilman Ricciardi's point. I don't know who got to the Historic Review Commission and what words were said, but somehow or other they must have lost their minds for a moment and thought they were the Legal Commission of the City of Pittsburgh. They are not. They're not a court of law. They're the Historic Review Commission, and their job as Councilman Ricciardi said is to decide whether or not something has historic value, and the legal question shouldn't enter into the picture at all. That's for the Law Department to decide, and frankly that's for us to have to juggle.

So, I wholeheartedly support such a letter, and I think it should be very strongly worded, and to make sure that when other sites or other districts come before them, they have to make a decision one way or the other so they can advise us on the historic value of sites or districts.

So, it puts us in a terrible position. It really does, because we both for MacIntosh Hemphill and for the Syria Mosque today have to decide on whether or not they should be historically designated.

And, one very important factor in that decision is whether the experts believe that these two sites have historic value. When it comes to both of these sites we are left in a vacuum. We're left hanging and we have no real expert opinion from the City of Pittsburgh as to whether or not they have historic value.

So, I wholeheartedly support Councilman Ricciardi's motion, and I think the letter should be very strongly worded.

Mr. Ferlo:

Yes, I support the letter obviously to the

Commission I share the concern. I do want to come to the defense of the Commission members a little bit, and I disagree with my colleague Mr. Cohen in one sense. I don't believe entirely that there's a vacuum all be it not a formal vote of the Commission as it relates to historical designation of either one of the two properties on the debate.

I was present the other day during the debate, dialogue and discussion by the Commission on both of the properties in question. In fact, I had to rise and take the podium and actually interrupt the first vote on Hemphill MacIntosh because the Commission members were going to vote down and actually issue a negative recommendation, and unfortunately that had nothing to do with the historic significance of the properties and they admitted that.

It had solely to do and only to do as Mr. Cohen had pointed out, what the legal issues that they were being presented with by Administration spokespersons, Mr. Cimino and Director Downing who have a vote and some say on the Commission. So, they were only very narrowly dealing in a vacuum with that legal issue as my colleagues have spoken about.

When I made my appeal they indeed reflected a little bit more and realized that they indeed did sympathize with the staff report on both issues, and the staff report indeed eloquently outlines the significance of either the Mosque and/or the South Side properties, and it outlines a number of different criteria that the two properties in question meet.

It was that information that I believe a majority of Commission members were actually sympathetic with. But, their actual vote reflected a vote based on the legal predicament that they felt they were in as presented to by the Administration.

So, I would argue indeed, at least my view is that they were sympathetic to the historical significance of both structures, and that was expressed in their vote to forward the staff report, but they were so hung up, rightfully so, and I disagree with it, with the vote which was done narrowly on the issue of basically being browbeat into it on the issue presented by the Administration on the legal issues.

So, I come to their defense a little bit. But, I definitely support the memo being written to them.

The Chair:

I think we should add to that and ask them for an opinion on both issues.

Mr. Ferlo:

On the historical significance.

The Chair:

Yes. I think they should reconvene and vote on both issues.

Mr. Ferlo:

I agree. Can that be amended to Mr. Ricciardi's motion?

The Chair:

Yes. I don't think we should leave them get off the hook on the issue, or in fact, as Councilman Ricciardi indicated, we don't need an Historical Review Commission.

Mr. Ferlo:

Mr. President, can we state very clear that we're not asking them to give an opinion in light of the legal issue, or the public policy issue, or the

Planning Commission's issue, but specifically on the issue of the historical significance.

Council adjourned.

The Chair:

Fine.

WHICH MOTION PREVAILED.

Mr. Cohen moved to excuse **Mr. Coyne** and **Michelle Madoff** for absence from the meeting.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Regan moved to approve the Minutes of Tuesday, July 23, 1991 and Tuesday, July 30, 1991.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Milliones moved to recess this meeting until after the Standing Committee meeting tomorrow morning to discuss the bond issue.

Mr. Ricciardi seconded the motion.

and on the motion of **Mr. Cohen**

Council recessed.

And the hour of 10:00 A.M. having arrived and the time of recess having expired Council reconvened.

The Chair:

I'd like to entertain a motion to adjourn this meeting and meet again Monday, August 12, 1991 at 10:00 A.M.

and on the motion of **Mr. Milliones**

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Monday, August 12, 1991

No. 33

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Monday, August 12, 1991

PRESENT:

MR. COHEN
MR. DARKINS
MR. FERLO
MR. MILLIONES

MR. REGAN
MR. RICCIARDI
MR. WAGNER
(Pres't)

ABSENT:

MR. COYNE MICHELLE MADOFF

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Regan:

Would Ms. Verterano please come up here? It could only happen in America having a lady this beautiful being a County Commissioner. She's living in another county but she's one of us. We always brag in here, especially my friend, Mr. Ferlo, about the suburbanite good will ambassadors that do a big thing for us in the suburbs; this lady is one of them and we'd like to honor her here today.

Stand right up here, Commissioner. The only reason I ask you to do that is that you'll make me look awfully good standing next to me.

Mr. Regan presents

No. 3053 WHEREAS, Lawrence County Commissioner Elizabeth Verterano has been appointed as the first woman to serve as the Chairperson of the Board of Lawrence County Commissioners; and

WHEREAS, Ms. Verterano was the first woman elected to the New Castle City Council and the first woman elected to the Lawrence County Commissioners position; and

WHEREAS, Ms. Verterano has a Bachelor's of Arts Degree in Political Science from Penn State University and a Masters Degree in Secondary Education from the University of Pittsburgh; and

WHEREAS, Ms. Verterano was born and raised in Pittsburgh and served as Valedictorian for her graduating class at Westinghouse High School; and

WHEREAS, in 1988 Ms. Verterano received the Girl Scout Woman of Distinction award from the Beaver-Castle Girl Scout Council for her outstanding display of leadership and achievement in her everyday life; and

WHEREAS, Ms. Verterano serves as a member of the steering committee for the nine county Southwestern Pennsylvania Regional Growth Alliance; and

WHEREAS, Ms. Verterano's most recent accomplishment is being named to the Port of Pittsburgh Commission by Governor Robert Casey.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby acknowledge that Elizabeth Verterano is a woman worthy of honor and recognition. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

That's the first time we voted unanimously in a long time.

I'd just like to introduce to the public here what I consider a role model. And, as they say at Westinghouse, "We are the House and the House won't fall."

Commissioner, congratulations. Would you like to say a few words?

Ms. Verterano:

It's my pleasure to be here today and I thank Councilman Regan, really, and all of you for this great honor.

It's a little bit difficult living in New Castle and Lawrence County and feeling so strongly about the City of Pittsburgh. I learned very quickly when I was elected to City Council in New Castle that I had to be very careful about what I said about Pittsburgh. So now when people ask me about my favorite city, I say that Pittsburgh is my favorite large city and New Castle is my favorite small city.

But I truly do love this area. I was born and raised here, my family is from here, and I think in many respects the City of Pittsburgh is still a very well-kept secret. There is so much here to be thankful for, from the beauty of the City itself, industry, it's changes that all of you have helped make as we have had to move away somewhat from the steel economy. But certainly I think that Pittsburgh's greatest strength is really it's people who come from so many diverse backgrounds, who work so well together, who never give up even when the chips are down. And certainly I don't have to say too much about the Pirates and the Steelers and so forth.

For those of you who are fortunate enough to represent this City as elected officials, despite the differences that you may have from time to time, I certainly hope that you will always keep the greater goal of the growth and the strength of the City in mind as you deliberate the very important matters that you consider because I think you have one of the greatest honors that I can imagine and that is to represent the people of this great City.

I really do thank you for this today. I'm very surprised by this, very humbled by it, and I just really do appreciate it so much.

Councilman Darkins, I would hope that you would agree that we are both proud graduates of Westinghouse High School, not to mention the University of Pittsburgh.

Mr. Darkins:

Mr. Chairman, we have to commend our Councilman colleague. I'm sure Dr. Milliones will attest to the fact that he has definitely picked a role model and any time you have a role model it comes out of Westinghouse High School, you can be sure.

Mr. Ricciardi:

I'd like to ask David Oster, Chairperson of the Traffic Safety Committee to please come forward.

This resolution is sponsored by Councilman Regan, Chairperson of Public Safety, and myself.

Mr. Ricciardi and Mr. Regan present

No. 3054 WHEREAS, the South Side Planning Forum has commissioned the Traffic Safety Committee to set forth and implement a pedestrian traffic safety program for all citizens of South Side; and

WHEREAS, the volunteers of the South Side Traffic Safety Committee have created an educational program to be disseminated to all South Side residents, senior citizens and children; and

WHEREAS, the educational programs will be given during the week of September 10 to September 13 by the volunteers of the South

Side.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the week of September 10 to September 13, 1991 as "South Side Pedestrian Safety Week".

Mr. Ricciardi moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

As everyone knows, recently the South Side has been very successful in terms of its development and living quality. However, with that sometimes comes a negative impact which is traffic congestion. And because of volunteers such as David Oster we have been able to address the safety of our older adults, the physically challenged, and also our kids.

I would now like to ask Councilman Regan, Chairperson of the Public Safety Committee who has helped myself in these dealings, to say a few words.

Mr. Regan:

Thank you very much. I would love to say a few words here but I'm going to yield to my worthy colleague, Gene Ricciardi, because I think he is an outstanding Councilman and I think the things that he has done in the South Side, I would be remiss in my duties if I introduced this gentleman instead of him.

Mr. Ricciardi:

Thank you. My job is very easy when we have people such as David Oster in the South Side doing such a fine job. So, now I'd like to ask

David Oster to please address this body.

Mr. Oster:

Thank you, Councilman Regan. Thank you, Councilman Ricciardi.

First of all, I want to thank everyone here for giving up your time to resolve that week of September 10th as South Side Traffic Safety Week.

As you may be aware, the South Side Traffic Safety Committee is a sub-committee of the South Side Planning Forum. Two years ago we put together a traffic safety study and set forth recommendations for traffic safety improvements for vehicles and for pedestrians in the East Carson Street corridor. I have brought nine copies of this report and it is on your desk for your study and review.

South Side Pedestrian Traffic Safety Week basically is an educational week which is going to target older citizens, children and the adult population. We will sponsor lectures, bingos and seminars on correct procedures for pedestrian traffic safety. That's the one phase of the South Side Traffic Safety Committee.

The other phase is that we are taking our report to the elected officials, basically asking them to implement these traffic safety procedures.

We have had limited success with the City Planning Department, DPW and the Mayor's Office; however, we are continuing on to request additional capital funds to totally implement the recommendations set forth in our plan.

At this time, I'd like to thank, once again, Councilman Regan and Councilman Ricciardi for their assistance. Thank you very much.

Mr. Ricciardi presents

No. 3055 WHEREAS, St. John the Baptist Ukrainian Catholic Church, located at South Seventh and East Carson Streets, was founded on September 1, 1891 and will observe their 100th Anniversary this year; and

WHEREAS, St. John the Baptist Ukrainian Catholic Church organized as a parish with approximately 25 families who came to Pittsburgh from the slopes of the Carpathian Mountains of the Western Ukraine; and

WHEREAS, the original church was a wooden frame hall in 1891 and later was replaced by the eight-domed structure which has become a moniker for the South Side; and

WHEREAS, St. John the Baptist Ukrainian Catholic Church presently participates in many South Side community events.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate St. John the Baptist Ukrainian Catholic Church and their benefactors on the 100th Anniversary of the parish.

Mr. Ricciardi moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair:

Members of Council, it's an honor to present these next couple resolutions and I'd like to ask Scott Samansky to please step forward here along with Candice Carothers from WPXI to please receive the resolution.

These next two resolutions both deal with Labor Day. One is the Muscular Dystrophy Telethon on WPXI-TV over Labor Day Weekend and the second resolution is for the Labor Day Parade.

The Chair presents

No. 3056 WHEREAS, WPXI-TV/Channel 11, by telecasting the Jerry Lewis Telethon for 21 years, has assisted immeasurably in supporting the Muscular Dystrophy Association by heightening public awareness for the need to fight muscular dystrophy and other neuromuscular diseases; and

WHEREAS, as a result of telecasting the Jerry Lewis Telethon WPXI-TV, Channel 11 has helped provide the vital funding necessary for the Muscular Dystrophy Association's patient services program and research program; and

WHEREAS, the Muscular Dystrophy Association is extremely grateful to WPXI-TV and it is fitting and appropriate that the County Commissioners join the Muscular Dystrophy Association in acknowledging the outstanding contribution made by WPXI-TV in the fight against muscular dystrophy and related neuromuscular diseases.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby pay special recognition to WPXI-TV and the Muscular Dystrophy Association and proclaim September 1 and 2, 1991 as "Jerry Lewis Telethon Weekend" in honor of their unfailing dedication to such a worthwhile humanitarian cause.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Scott, we're glad to have you here today. Are you going to be on WPXI on those days? That's great.

And Candice, it's great to have you here and it's great to have WPXI sponsoring this for 21 years. You do a great job for the community. I'd like you to say a few words and maybe Scott will say a few words also.

Ms. Carothers:

Thank you very much. On behalf of Channel 11, I'd just like to say thank you again to Pittsburgh because over the 21 years every year it has gotten bigger and better. And the funds that Pittsburghers help us raise go to help the research so that 41 different neuromuscular diseases will some day be history. And so that the families and the children who are meeting the challenge of their diseases and their challenges are able to overcome them.

I'd just like to say thank you. We could not do it without Pittsburghers, without their generosity, without their love. We do this as a labor of love.

So, please keep us in mind. I know we're a tradition. Please don't take it for granted because we can't do it without you. Please tune in Channel 11 for the MDA Telethon.

Scott Samansky:

On behalf of the Muscular Dystrophy Association and myself, I would like to thank the Mayor and the Members of City Council of Pittsburgh for this great honor. Thank you.

The Chair:

Thank you very much, Scott and Candice and the Samansky family, for coming today. We hope that everyone tunes in to WPXI on September 1 and 2 and makes a contribution.

One final resolution we have. I would like to ask various representatives of the Allegheny County Labor Council to please step forward to receive this resolution. They are, Mr. Paul Stackhouse, the Executive Director, Dave Glavin, John Remark, Norm Price and Chester Oleniacz. I probably mispronounced that, right Chester?

Mr. Ferlo:

You won't get your mail if you pronounce that wrong.

The Chair presents

No. 3057 WHEREAS, the American Labor Movement began over two hundred years ago and has sought to improve the conditions for all working Americans; and

WHEREAS, American labor leaders have, throughout history, dedicated themselves to this movement; and

WHEREAS, the first Labor Day observance took place over a century ago and was established as a legal public holiday in 1894; and

WHEREAS, the United Labor Day Parade Committee intends to reinforce Pittsburgh's commitment to organized labor with a procession in the Golden Triangle under the theme, "America works best when we say...Union Yes!", marking the 104th Anniversary of Pittsburgh's first Labor Day Parade of 1887.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Paul Stackhouse, President of the Allegheny County Labor Council, the United Labor Day Parade Committee and its Chairman, Patrick Landy, as well as all labor leaders and working American laborers, and urges the citizens of Pittsburgh to observe the United Labor Day Parade on September 2, 1991.

Mr. Millones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Gentlemen, we're honored to have you here today and we're honored to participate annually in the Labor Day Parade and I'm sure all or the majority of Council will be there.

Paul Stackhouse, it's nice to have you here and please say a few words in regard to that great day.

Mr. Stackhouse:

I want to thank you very much, Councilman Wagner and Members of Council, for issuing this proclamation.

It has been a very big success, the Labor Day Parades. This is the eighth year. It's growing. Last year 40,000 marched and approximately another 40,000 were witnessing the parade. Many participated. And, for the record, I want to invite all of you here to participate in the parade. Don't run around looking for unions to walk with, just walk behind the officers of that scheduled time. We have that set up only because they had some problems in

the past. But you're all friends of labor and we want to welcome you.

I know you know that the AFL was founded here in 1881 but there are some other unions I'd like to cite, if you'll bear with me, that locally were founded in the 19th Century; the ironworkers, the bakery and confection and tobacco workers, boilermakers, carpenters, painters, bricklayers, plasterers, plumbers, sheet metal workers, and electrical workers. All founded in Pittsburgh. Fortunately we have a Police Department, Lodge No. 1, Pittsburgh Firefighters, Local No. 1. So, again, you have No. 1's all over the place.

As you know, this is the birthplace of the union and you helped make it that way. You lend credence because of your support and issuing the proclamation. Again, I want to thank all of you.

UNFINISHED BUSINESS

The Chair presents

No. 3039 Resolution appointing Brian Weakland, 5609 Elmer Street, Pittsburgh, Pennsylvania 15232, as a Member of the Water Exoneration Board for a term to expire July of 1993.

Which was read.

Also,

No. 3040 Resolution appointing Don Walko, 97 Watson Boulevard, Pittsburgh, Pennsylvania 15214, as a Member of the Water Exoneration Board for a term to expire in July, 1993.

Which was read.

Mr. Regan moved to approve the appointments.

Mr. Ferlo seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the appointments of Mr. Weakland and Mr. Walko were approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3049

Report of the Committee on Finance for August 7, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2916

A Resolution entitled, "Resolution authorizing the Mayor, the Director of Finance and the

Director of General Services to execute an amendment to a supplemental agreement providing for the lease to the County of Allegheny of the Sixth Floor of the City-County Building."

Which was read.

Mr. Ricciardi:

On Bill 2916 which is the lease arrangement between the City of Pittsburgh and Allegheny County, for the record I would like to commend Director DiNardo for a more equitable lease protecting the interest of the City taxpayers.

Also, I would like to point out that I believe it was Councilman Jim Ferlo that first raised this issue that the City of Pittsburgh was not getting the best lease arrangement for its floor space. I believe he raised that issue over a year ago.

So, I'd like to commend both Mr. DiNardo and Councilman Jim Ferlo.

Also,

Bill No. 2987

A Resolution entitled, "Resolution providing for the transfer of \$160,000.00 from Code Account 1977, Index Code 197707, Utilities, Department of Water, to Code Account 1132-7, Index Code 113274, Utilities, Department of General Services."

Which was read.

Also,

Bill No. 2988

A Resolution entitled, "Resolution providing for the transfer of \$60,000.00 from Code Account

1977 (197707), Utilities, Purification & Pumping, Department of Water, to ARTF, Asphalt Reimbursement Trust Fund, Index Code 250100, Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2990

A Resolution entitled, "Resolution providing for the issuance of a \$2,715.00 warrant in favor of St. Paul's Seminary for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 2991

A Resolution entitled, "Resolution providing for

the issuance of a \$2,846.87 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No.2993

A Resolution entitled, "Resolution amending Resolution No. 170 of 1990 as amended by Resolution No. 71 of 1991 entitled: 'Resolution authorizing an agreement or agreements with a collection agency or agencies for professional services in connection with the collection of delinquent taxes, fines, penalties and interest for the City of Pittsburgh at a cost not to exceed two hundred seventy five thousand dollars (\$275,000), chargeable to and payable from Code Account 1063, Miscellaneous Services

(106302) Department of Finance', by adding delinquent water charges to the items eligible for collection."

Which was read.

Also,

Bill No. 2994

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

And the majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2996

A Resolution entitled, "Resolution authorizing

the transfer of thirty thousand dollars (\$30,000.00) from Code Account 1927-9, Index Code 192799, Worker's Compensation, Department of Water to Code Account 1479-9, Index Code 147991, Worker's Compensation, Department of Public Safety, Bureau of Building Inspection."

Which was read.

Mr. Millions:

I move to amend Bill 2996 by deleting the words, "from Code Account No. 1927-9, Index Code 192799, Workers Compensation, Department of Water" and inserting in lieu of thereof, "from Code Account No. 1457, Index Code 145706, Uniforms, Bureau of Police".

Mr. Regan seconded the motion.

Mr. Ferlo:

Mr. Chairman, on Bill 2996, I believe there are two issues at hand. One is the issue that you raised regarding transfers of Code Accounts to pay for obligations under Workers Comp that should come out from each respective bureau or each respective department. As you know, the bill initially took money from Water and put it to Public Safety. I assume, given this amendment, that your concern was addressed.

The second issue, however, was the issue of why we're paying this money out and whether or not this is a new compensation claim or whether or not this is somebody who, I believe, a year ago we also had to pay a large sum of money out. I don't know whether we got a response to that issue.

The issue I raised was whether or not it would be more appropriate to basically buy somebody out and offer a lump sum instead of the continual obligations that we seem to have.

I don't believe that we had an answer to that question and, accordingly, I would have to vote no on the legislation.

The Chair:

I think my concern has been addressed. My concern initially was that we were taking money from the Water Department and putting it to Public Safety and could it, in fact, have been from the Water and Sewer Authority through rates. I have no problem with it.

All in favor of Councilman Millions' amendment? Those opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

I'm opposed to the bill, not the amendment.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Millions	Mr. Wagner
	(Pres't)

AYES 6 NOES 1

(MR. FERLO VOTING NO)

And the majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2997

A Resolution entitled, "Resolution Repealing Resolution No. 287, approved April 5, 1991, effective April 10, 1991, entitled: 'Transferring the sum of Eighty Thousand Dollars (\$80,000.00) from Public Safety Pennfree Initiative (PSPD), Index Code 251389, Bureau of Police, Department of Public Safety to Code Account 1154-1, Index Code 115410, Department of General Services, Rental of Motorized Equipment as reimbursement for four (4) vans.'"

Which was read.

Also,

Bill No. 3000

A Resolution entitled, "Resolution transferring the amount of \$11,000.00 from Code Account 1006 (Index Code 100602) Equipment, City Clerk's Office to Code Account 1003 (Index Code 100305) Miscellaneous Services, City Clerk's Office (Index Code 100305)."

---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3011

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of Fifteen Thousand (\$15,000.00) Dollars without previous authority of law, for payment to Sentry Oils & Greases, Inc., Leo Sestini, President, for the purchase of Miscellaneous oils & greases for the City Garage."

Which was read.

Also,

Bill No. 3015

A Resolution entitled, "Resolution providing for the issuance of a \$3,147.14 warrant in favor of Lewis H. Dowdy for automobile damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3016

A Resolution entitled, "Resolution providing for the lease or leases of certain property on the first floor of 908 Penn Avenue from September 1, 1991 for a term of 36 months, at a rental of \$2,500.00 per month to house the Joint Jobs Initiative Single Point of Contact (SPOC) Project Office upon certain terms and conditions, and providing for the payment of cost thereof."

Which was read.

Also,

Bill No. 3017

A Resolution entitled, "Resolution providing for the lease or leases of certain property on the fourth floor of 1700 East Carson Street from July 1, 1991 for a term of 24 months, at a rental of \$811.45 per month, to house the City's Joint Initiative Program Single Point of Contact Office upon certain terms and conditions, and providing for the payment of cost thereof."

Which was read.

Also,

Bill No. 3018

A Resolution entitled, "Resolution amending Resolution No. 271, effective April 5, 1991, entitled, 'Providing for an Agreement or Agreements or for the use of existing Agreements with a Consultant or Consultants for a mixed media package in connection with the Fair Housing Assistance Program of HUD, and providing for the payment costs thereof,' by increasing the allocation by Three Thousand Three Hundred (\$3,300.00) Dollars from Twenty Thousand Dollars (\$20,000) to Twenty-Three Thousand Three Hundred Dollars (\$23,300)."

Which was read.

Also,

Bill No. 3019

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 3020

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 3050

Report of the Committee on Public Works for August 7, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2939

A Resolution entitled, "Resolution granting unto Metropol Nightclub, 1600 Smallman Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a loading dock, sidewalk and canopy on a portion of the sidewalk of Smallman Street in the 2nd Ward, 6th District of the City of Pittsburgh."

Which was read.

Mr. Ricciardi:

On Bill 2939 I will be voting in the affirmative for the encroachment for Metropol. But, as I stated at the table, I believe the Planning Department should begin to study the area. We're beginning to give these encroachments piecemeal. For example, I believe we just gave the Wholey Company an encroachment. We're giving the Metropol Nightclub and encroachment. And, obviously, when you given an encroachment, what you're doing is losing City property and you're really losing passage either for vehicles or pedestrians on that property.

So, as we all know, the Strip District is beginning to grow. It's going to be feeling other growth and instead of just doing this on encroachment, I'm just not sure why the Planning Department is studying the entire Strip District.

Also,

Bill No. 2975

A Resolution entitled, "Resolution granting unto Allegheny County their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, 74 rock anchor tie backs along a portion of the sidewalk of 2nd Avenue in the 1st Ward, 6th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2976

A Resolution entitled, "Resolution granting unto Mark and Antoinette Dobies, 3216 Dobson Street, their successors and assigns, the privilege

and license to construct, maintain and use at their own cost and expense an off-street parking area on a portion of the right-of-way of Harding Way in the 6th Ward, 7th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2977

A Resolution entitled, "Resolution granting unto the Pittsburgh Playhouse, 222 Craft Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a handicap ramp on a portion of the sidewalk of Hamlet Street in the 4th Ward, 6th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3012

A Resolution entitled, "Resolution granting unto Frank Kutz, 4000 Windgap Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense a graded and paved turn-a-round area over a portion of the sidewalk of Washville Avenue in the 20th Ward, 2nd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3013

A Resolution entitled, "Resolution granting unto Samual and Janet Taylor, 1500 Fernleaf Street, their successors and assigns, the privilege and license to construct, maintain and use at their own

cost and expense, a planted area and fence on a portion of the sidewalk of Eccles Street in the 16th Ward, 3rd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3014

A Resolution entitled, "Resolution granting unto Russell Webb, 2001 Perrysville Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense a planted area and fence on a portion of the right-of-way of Perrysville Avenue in the 26th Ward, 1st District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 3051

Report of the Committee on Planning, Housing and Development for August 7, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2945

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Washington's Landing Associates for the sale of Parcel 2A in the Twenty-Fourth Ward of the City of Pittsburgh in Redevelopment Area No. 45 (CONSTRUCTION OF OFFICE/FLEX BUILDING)."

Which was read.

Also,

Bill No. 2981

A Resolution entitled, "Resolution amending Resolution No. 903, effective August 30, 1990 as amended by Resolution No. 39 of 1991, entitled 'Resolution providing for an Agreement or Agreements with the following Community Based Organizations for community and economic development planning assistance: Lawrenceville Citizens Council, Lawrenceville Development Corporation, and the Pittsburgh Partnership, at a cost not to exceed \$71,893.05, so as to increase the appropriation to \$77,644.21."

Which was read.

Also,

Bill No. 2982

A Resolution entitled, "Resolution providing for an Agreement or Agreements for the provision of operating support to the following Community Based Organizations undertaking community economic development activities: Pittsburgh Partnership, the Lawrenceville Development Corporation, and the Lawrenceville Citizens Council, at a cost not to exceed \$76,352.27."

Which was read.

Also,

Bill No. 2983

A Resolution entitled, "Resolution providing for the filing of an application for financial assistance with the Pennsylvania Department of Community Affairs for a grant in the amount of \$1,586,541.81 in Strategy 21 funds for authorizing certain other related actions."

Which was read.

Also,

Bill No. 2984

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert W. Gerwing for the sale of Parcels 244F and 244C-2 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27 (SIDE AND REARYARD)."

Which was read.

Also,

Bill No. 2985

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Opal E. Jackson for the sale of Parcel 93 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (REARYARD)."

Which was read.

Also,

Bill No. 2986

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Raymond and Grace Henderson for the sale of Parcel 16A in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27 (SIDEYARD)."

Which was read.

Also,

Bill No. 2764

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning: By creating a new 'R3-A' Three-Family Residence Zoning District including regulations for use (occupancy), height, area (density and setbacks), and parking."

Which was read.

Mr. Cohen:

Mr. President, on Bill 2764, this bill creates a new zoning classification called "R3-A" and, as you can see, it's quite extensive. Suffice it

to say that it's one that I think could be used by many neighborhoods to try to rid the neighborhoods of absentee landlords who are not maintaining their buildings and also to try to bring in new families to their neighborhoods.

I particularly would like to give credit to the people of Friendship, particularly the Friendship Preservation Group, who took the initiative to have this new zoning classification created and I think it's one that will be used very well in that neighborhood and I think it could be applied to other neighborhoods as well.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 3052

Report of the Committee on Public Safety for August 7, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2998

A Resolution entitled, "Resolution authorizing a study into the powers of City Council to regulate the operation of railroads within City limits." ---**(SPONSORED BY MR. REGAN)**

Which was read.

Also,

Bill No. 3021

A Resolution entitled, "Resolution delaying the implementation of the Fire Study of the Bureau of Fire until the Council of the City of Pittsburgh receives and reviews the Study and conducts a Public Hearing." ---**(SPONSORED BY MR. REGAN)**

Which was read.

Mr. Ferlo:

On Bill 3021, on our resolution requesting that the Administration not implement any recommendations from the so-called fire study, I'm still not convinced that it's actually a study because I'm not even convinced on what the methodology was or who actually had any input into reviewing and having any input into the study.

A request repeatedly has come from Council on this issue so, in a way, obviously I support Bill 3021 but, unfortunately, in and of itself it's not necessarily going to delay the implementation given the arrogance that the Administration has shown to this Council over the last many months who have sought to have

some input or have some first-hand knowledge of the so-called fire study.

I think people need to get involved in this issue and supporting this resolution today is certainly a step in the right direction. But I would urge that community organizations and merchant groups listening to the Council meetings and proceedings begin to be concerned, as I think they have shown their concern over the many months about this so-called study, and I think they should communicate to the Mayor's Office that they have not been involved or included in not only the methodology of the scope of services, but no one has been solicited to have any input.

I think that brings to light the need for support of this resolution, that the Administration should not act in haste with any recommendations even though probably they will legally argue that they have the right to do whatever they want. They still have to face Council during the Fall with budget proceedings and I would hope that the Administration will back off and begin to take a second look at the study and continue to ask for some support from Council and, more importantly, ask for some support and input from the public at large.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins

Mr. Regan
Mr. Ricciardi

Mr. Ferlo
Mr. Milliones

Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Very briefly, Mr. Chairman. A lot of movement has happened in the community around the issue of the Mosque, saving the Syria Mosque, and I want to thank you, Mr. President, following that hearing for communicating to the new President at Pitt, Dennis O'Connor, soliciting the meeting. Hopefully we will indeed be able to have that meeting and I just want to thank you for helping to establish that dialogue with the new President.

The Committee to Save the Mosque, along with a number of Councilmembers, Mr. Cohen, Mr. Darkins, myself and possibly others, will consider supporting this activity and that is there will be a mass rally, but actually it will be more of a cultural street carnival being held right on the street, Bigelow Boulevard, in front of the Syria Mosque on Tuesday evening, September 3rd, from 6 to 9 o'clock. It's being sponsored by several of us on Council and, more importantly, the Committee to Save the Mosque. It's an attempt to show a lot of support among the public at large here in the City for saving the Mosque. It will be an expression and an opportunity for celebrities and entertainers and cultural figures who may have appeared at the Mosque at one time or another to show their support. But, more importantly, I think it will be a rallying point to show the broad-based support in this community for the Mosque remaining as a cultural music center under whatever arrangement possibly

could be worked out.

So, I'd just like to initiate that call to the public to come out, begin to support support, attend the Tuesday, September 3rd, street carnival and rally right outside the Mosque.

Mr. Ricciardi:

Mr. President, over the last few weeks I have heard from different sources that because we're carefully deliberating over the historic designation of the MacIntosh and the Mosque that we are actually stalling those bills. I'd like to point out to those sources, including our City Solicitor, that if you research the Pittsburgh ordinance, the Code, that you would see that we have 90 days to make our decisions from the point of the public hearings. I believe those hearings were July 22nd and July 23rd, which means that we have until sometime in October, October 21st, 22nd or 23rd, to make our decisions.

Our ordinance has not been found unconstitutional. Thus, we are standing on firm ground by taking enough time to carefully deliberate over the historic designation of those buildings.

I believe that we'll make those decisions well within the 90 days, but, again, I'd like to point out to our City Solicitor and also the Pittsburgh residents that we have 90 days to make those decisions.

The Chair:

I'd just like to add on the same issue, as everyone is aware, we just had those hearings last week, last Monday and Tuesday, and I think all of us have received some kind of correspondence or verbal requests that we act on those bills the following day in Committee and finally today. And, quite frankly, I know Councilman Ferlo felt

this way and several other Members of Council, that it was too soon and too quick to act on both of those bills because there is so much information and, quite frankly, we have never done that. We may have on rare exception. And we feel that coming back in September and voting on those bills at that time, or soon thereafter, is more than sufficient time.

Mr. Regan:

Mr. President, I'd like to say something on this matter. I'd like to get together with Councilman Ferlo and see if we can get Fats Domino in here from Cleveland. He's about a two and a half hour drive and we're going to say, "Let's twist again".

Mr. Ferlo:

Just a footnote, Mr. President, on this issue, the historical designation. In Philadelphia tomorrow the forces or the advocates, the preservationists in Philadelphia who are involved in that whole legal battle going up to the Supreme Court, apparently they're having a meeting, a workshop or a seminar tomorrow, bringing together people from all across the Commonwealth to begin to discuss the impact of the Supreme Court ruling, what relevance it has on other municipalities. Irene from my office who, as you know, is an attorney, will be there and, I believe, the City Solicitor's Office will be represented as well as a couple people from City Planning. There may be other Councilmembers who might at this late date be able to send somebody but, in any event, we'll report back to Council and the public on their deliberations.

Mr. Ricciardi:

Mr. President, have we received correspondence from the Historic Review Commission concerning our request that they go back and do their job to carry out their

responsibility?

Mr. Perry:

No we haven't.

The Chair:

No, we have not. And hopefully that will happen within the next three weeks.

Mr. Ricciardi:

Thank you.

Mr. Regan:

Mr. President, I'd like to welcome, of course, all the Police from around the United States to the Convention in the No. 1 City in America.

I also would like to thank our Police on a job well done on the graffiti experts who are living in and around the City. I'd like to especially thank Chief DeRoy and his detectives for the job that they did.

On another point, I'd also like to congratulate my distinguished colleague, Councilman Dan Cohen, and the people of Shadyside for the Shadyside Summer Arts Festival. I was out there and I thought it was tremendous. The jazz was outstanding and the quality of the exhibitors out there was as good as I have ever seen at any place that I was ever at in this country or the world. I don't get out of the North Side that often but I went over to Shadyside just to see what Dan Cohen was doing over there and I just have to commend the people of Shadyside. It was really a terrific Arts Festival. The weather was good and it's always nice to be in the No. 1 City in America.

Mr. Cohen:

Thank you, Councilman Regan.

Mr. Ricciardi:

If I may, Mr. President, on a light note. Over the weekend I had the opportunity to meet a suburban family that informed me that they were moving to the North Side next weekend. I asked them the details surrounding that and they said that Councilman Regan got their son to play on Perry High School and they're moving back to the City.

So, while people talk about getting people back to the City, my information is that Councilman Regan brought a family back, the Borelli family. Does that ring a bell, Councilman?

Mr. Regan:

Yes it does. Mike Borelli. A very nice young man.

Mr. Milliones moved to excuse Mr. Coyne and Michelle Madoff for absence from the Meeting.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones moved to adjourn this meeting and meet again on Tuesday, September 3, 1991 at 2:00 p.m.

Mr. Ferlo seconded the motion.

And on the motion of **Mr. Milliones**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, September 3, 1991

No. 34

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER..... Asst. City Clerk

Pittsburgh, PA
Tuesday, September 3, 1991

PRESENT:

MR. COHEN	MICHELLE MADOFF
MR. COYNE	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT:

MR. RICCIARDI

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen presents

No. 3089 WHEREAS, the United Way of Allegheny County is the largest local provider of greatly needed funding and services annually to thousands of Pittsburgh's hungry, homeless, sick, disabled, jobless and underprivileged citizens, from children to the elderly; and

WHEREAS, on September 11, 1991, the United Way of Allegheny County is organizing, along with other United Way chapters throughout the Tri-State area, a United Way Day of Caring that includes the City of Pittsburgh's Day of Caring team; and

WHEREAS, 1000 workers in Allegheny County will be volunteering at more than 70 local non-profit organizations performing such services as delivering meals to the elderly, distributing food at pantries, constructing playgrounds, tutoring children, and escorting wheelchair-bound people on excursions; and

WHEREAS, the United Way Day of Caring kicks off the United Way of Allegheny County's annual fundraising campaign.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the United Way of Allegheny County on its outstanding work and congratulates the United Way on its Day of Caring; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh encourages City residents and workers to participate as volunteers on the City of Pittsburgh's Day of Caring team or at their non-profit organization of choice on September 11, 1991; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares September 11, 1991 to be United Way Day of Caring in Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. We all know how important the United Way is to each of us and to the needy, in particular, and how much it contributes every year.

On September 11th they are doing something more by sponsoring a Day of Caring which will involve really an unprecedented mobilization of volunteers at more than 75 locations. As it said in the resolution, over 1000 volunteers will be doing everything from delivering food to the elderly to tutoring at-risk children.

I'm honored today to have with us Mr. Bill Meyer who is the Chief Executive of the United Way of Allegheny County and I'd like him to say a few words.

Mr. Meyer:

Thank you, Councilman. I am very appreciative that you have given us time on your busy calendar to recognize the Day of Caring.

For most of you, I'm obviously talking to the choir here, I'm preaching to the choir, I've worked with Jim Ferlo as he operated a Bobcat out in Highland Park and Jake Milliones up in the Hill District, and, of course, Jack on the Vietnam Veterans Leadership Council. So, you know what volunteerism is all about.

This is really a way of demonstrating to the community the power of volunteers and I just throw out to you this idea that if we can get 15,000 people or more to run The Great Race in Pittsburgh to demonstrate this City's vitality, then we can get 15,000 people to volunteer on a single day and send a very strong message out to the whole area and to the country that the reason Pittsburgh is so livable and such a great City is because we have people that care.

We thank you for the opportunity to make that point. Thank you.

Mr. Ferlo:

Representatives from The City Pride Bakery and the Lawrenceville Development Corporation, East Side Alliance, Bloomfield-Garfield, Tri-State Conference On Steel, our own City JPTA Organization, Dave Farley and Company, everybody else. And all the supporters of the Syria Mosque, you can come forward, too.

Mr. Ferlo presents

No. 3090 WHEREAS, The City Pride Project has been a challenging two-year endeavor by the former Braun Bakery Workers to re-open a mainline bakery in Pittsburgh; and

WHEREAS, a labor-management-community-religious partnership has fought to bring this mainline bakery to Pittsburgh, to provide livable wage and benefit jobs to workers and to provide consumers with a quality product

through the support of Giant Eagle Stores located in Pittsburgh; and

WHEREAS, bank commitments have been received from a consortium of local banks including Mellon Bank, Pittsburgh National Bank, Union National Bank and Equibank, and assistance is also being provided by Point Venture Partners, the URA, the Commonwealth of Pennsylvania, the City's Job Training Agency and the National Co-Op Bank; and

WHEREAS, the Project has initiated a strong affirmative contracting and low-income resident, women and minority hiring process with the Lawrenceville Development Corporation, the City's Job Training Agency and the Lawrenceville-East Side Jobs Bank; and

WHEREAS, a new 100,000 square foot building located on 39th Street in Lawrenceville is near completion thanks to the support of the Buncher Company and the equipment agent which has been identifying equipment from around the country to bring to the Pittsburgh site; and

WHEREAS, the Lawrenceville Development Corporation (LDC) is a non-profit organization committed to the economic revitalization of the Lawrenceville neighborhood by improving the employment opportunities for its low-income residents, and has played an important role in the organizing, site selection and hiring process of The City Pride Bakery; and

WHEREAS, LDC has applied to the United States Department of Health and Human Services/Office of Community Services Discretionary Grant Program for a \$500,000 grant for LDC to invest in the business, thereby, securing an equity position and a seat on the Board of Directors.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the important contributions of the Lawrenceville Development Corporation to the partnership organizing The City Pride Project; and

BE IT FURTHER RESOLVED, that Pittsburgh City Council urges approval of a \$500,000 grant by the Department of Health and Human Services so that LDC may become an equity investor in The City Pride Bakery and continues its role with The City Pride Bakery.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. As was mentioned in the resolution, there's still a need for some of the additional funds to bring the project to fruition. What is unique here is that this provides an opportunity, this grant, and while individually I had sent the letter, I think it would be important that all of us as the elected body in local government send a strong message to the Department of Health and Human Services that we would, indeed, hope that the Department would act favorably on this grant request.

I'd like to introduce Nancy Noszka from the Lawrenceville Development Corporation and possibly Wallace Bright from the Jobs Bank to say a few words and maybe there will be some other speakers also. Thank you very much.

Ms. Noszka:

To put the resolution in a nutshell, what this grant does is provide the Lawrenceville Development Corporation with a continuing voice in a project. So, it makes the community

and The City Pride Bakery come together and keep the partnership together after years of operation.

What we intend to do with the grant is to eventually invest it first, and then allow the employees to buy back the shares. That allows the employee a business opportunity and it provides low income residents, minorities and women the opportunity to invest in a business. And then we would take those funds and re-invest them in the community elsewhere. So, it goes a long way.

If you're unfamiliar with the project, very quickly, I think it's described in the resolution, but it has been a two-year struggle and it's been a lot of sweat equity. And despite being funded, the LDC has put a lot of its time in it. I know the local community has and so has the Steel Valley Authority been very, very active. And if you don't get that fire in your belly, I don't think these things come to fruition.

A very important thing with this grant to the federal government is jobs. I'd like to introduce Wallace Bright from the Community Employment Project who handled a lot of the intaking and the applications that went on in June. Thank you.

Mr. Bright:

Thank you all very much. First of all, I want to repeat Councilman Ferlo said, that we need your help on an individual basis. For over a year now the Community Employment Project, which specifically represents Bloomfield, Garfield, Lawrenceville, Polish Hill and Friendship, has been very active in the planning and the recruitment of individuals for the jobs at City Pride Bakery. To date we have over 750 people who have applied for these jobs. If that's not an indication to anyone in this room as to the deep and desperate need of people in this City for

work, it should be.

You should have been out there at the Teamsters' Temple in Lawrenceville and saw people standing in those lines. We had one gentleman that stood there in line for two days carrying his baby. That's how desperately this man wants to work.

So, we are active, we are pushing, and we need all the help and assistance that this Council can give us. We realize that there is a Republican Administration in charge of Health and Human Services and that this is a very Democratic Council, but still, we need all of the help that you can give us. We need for the federal government, we need for the state government, we need for the private institutions to hear your voice as public leaders to let them know that there are people in this City who are desperate for jobs but yet they are people who still want to work. Thank you.

Mr. Ferlo:

That award from the federal agency is being rendered on September 30th and hopefully our letter will help.

Mr. President, we have a number of addresses in D.C. that the proclamation should be sent to and I will forward that information to the Clerk.

By the way, the applicants who came that day to Lawrenceville were working people from throughout the City of Pittsburgh.

Thank you.

Michelle Madoff:

May I please have Dr. Mark Richards and Mr. Nate Parker step forward?

Ladies and gentlemen, Mr. President,

Members of Council, you do remember me? I've been gone for a few weeks.

Mr. Regan:

Welcome back.

Michelle Madoff:

Thank you.

This is a very important resolution. I have met with I think almost every one of you and the two gentlemen guests, Dr. Mark Richards and Mr. Nate Parker. This is not just some rhetoric. It is not just a resolution. I'm counting on you to help and we'll get into that in a minute.

Michelle Madoff presents

No. 3091 WHEREAS, the Rotary Club of Downtown Pittsburgh is concerned about the immunization needs of young children living in high risk communities in the City and County; and

WHEREAS, the Rotary Club of Downtown Pittsburgh, in partnership with the Jewish Healthcare Foundation, plans a mass immunization drive called "Operation Kidshot" the week of September 21-29 which is National Immunization Week; and

WHEREAS, immunization reduces the risk of epidemics of childhood diseases such as measles, mumps, rubella and polio which are easily preventable with the intervention of timely inoculations; and

WHEREAS, the intent of this project is to raise the awareness and consciousness of parents to their children's basic need for immunization against childhood diseases and their subsequent health risks; and

WHEREAS, the Rotary Club of Downtown Pittsburgh will be working with the Allegheny County Health Department and other neighborhood clinics to expand the availability of these services to champion the need for childhood immunization; and

WHEREAS, it is vital that reinforcement of the value of prevention is emphasized and the scope of immunization programs already in place is broadened to provide additional access for all children, and to stress the importance of this project in promoting the health care of our most valuable resource -- our children.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends the Rotary Club of Downtown Pittsburgh and the Jewish Healthcare Foundation for their efforts to promote the health and well being of our youngest citizens and does also designate the week of September 21-29 as "Operation Kidshot" Week in the City of Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Dr. Richards:

Thank you very much, Councilwoman Madoff.

Everyone knows about baby shots. In fact, we know so much about them that we take them for granted. They are so successful, however, that we forget why we use them. Childhood diseases can disable. Childhood diseases can kill, and they do.

Witness what happened recently in Philadelphia. There were six deaths of young

children due to measles because they had not had their immunizations.

Witness other parts of Western Pennsylvania. In the last few years, we have had major outbreaks of measles in the counties surrounding this one.

It hasn't happen here in Pittsburgh yet, or in Allegheny County, and the Jewish Healthcare Foundation, with whom I'm associated, wants to make sure that it does not happen.

The Allegheny County Health Department has done an absolutely superb job of immunizing our kids prior to the time they get into school. But we all believe there are pockets of children around the City of ages 2-3 that have not been fully immunized yet. That is the time when kids get into Headstart, that's the time they get into daycare, and that's the time when young children begin to be at risk of spreading diseases from one to the other. And that is the age that we need to make sure a child is up to date with their shots.

The Foundation has selected the Rotary Club of Downtown Pittsburgh as the recipient of a matching grant which will immunize toddlers in selected Pittsburgh neighborhoods this year, and in six surrounding counties around Allegheny County next year.

This organization was an obvious choice for the Foundation because of their extraordinary experience world-wide in immunizing children. We are proud to work in partnership with the Rotary Club to immunize our 2 and 3 year old kids which are still at risk.

I'd like to say thank you very much and hats off to you, Councilwoman Madoff, and to the rest of you, Council, for recognizing this problem, for extending your concern to these children, for your awareness of what happens

when a child hasn't been immunized properly, and particularly for your help, Councilwoman Madoff, for helping to make some of the arrangements for this project. Thank you.

Michelle Madoff:

Mr. Parker is the Ex-President of the Downtown Rotarians.

Mr. Parker:

Mr. President, Councilwoman Madoff and Members of Council. You may not know it but over the past three years the Rotary International has run a project called Polio Plus in which they have attempted to eradicate polio throughout the Third World, and they have been very successful with that project.

One of our Rotarians, Karen Feinstein, who happened to be the President of the Jewish Healthcare Foundation, believed that that type of work should be taken back to our home, and came up with the idea of what is now called Operation Kidshot, to inoculate all the children in South Western Pennsylvania.

Operation Kidshot is a two-year project with a pilot project on September 21st targeted at certain areas in the City of Pittsburgh. And then, a later project to take place next year, targeting South West Pennsylvania.

As it happens, the Governor's Task Force recommended a joint effort of private and public sector to tackle the problems of immunization, and that's what this operation is intended to do.

As you probably know, in Allegheny County we have a fabulous record. This is the model for the whole State when it comes to immunization.

We don't expect that Operation Kidshot

is going to hit a lot of kids, but we think it will hit some of the young kids in selected neighborhoods in Pittsburgh and the Mon Valley. Next year we hope to hit a lot more children.

I want to thank all of you for your support in this project. It's a great boost to the project and we are very grateful to you.

Michelle Madoff:

As you heard, I've been doing a little work on this project and I will be happy to act as a coordinator for all my colleagues who know their communities a lot better than I do.

Dan, you might have some pockets that people don't think about in some of your areas and if you could get the word out through your staff and through people.

Mike, I'm sure your community certainly would have a few.

Reverend Darkins, I know has done yeoman's work in getting help for the community.

I just spoke to Mr. Ferlo.

Jake, I know you're going to help.

Baldy, you've already promised that you would help.

And the President of Council is in a target community.

It doesn't mean anything if we just have rhetoric and we have resolutions. The issue is, will we really get in and help, and I hope you will.

The Chair:

Councilwoman Madoff, how does the phrase go? An ounce of prevention is worth a pound of cure.

We thank you all. Thank you.

Mr. Millions:

Mr. President, not withstanding the controversy, I'd like to move the following resolution.

Mr. Millions presents
(co-sponsored by Mr. Ferlo, Mr. Cohen and Michelle Madoff)

No. 3092 WHEREAS, Justice Thurgood Marshall, an African-American of legendary stature, one of the most venerable justices to serve on the Supreme Court, and a fully accomplished attorney prior to his Supreme Court appointment, will retire upon the confirmation of his replacement; and

WHEREAS, President Bush opposes strong Civil Rights legislation and by his nomination of Judge Clarence Thomas to the Supreme Court continues the Bush-Reagan administrations' policy of conservative appointments to all levels of the federal court system in order to further dismantle civil rights gains; and

WHEREAS, by this appointment, President Bush has cynically addressed the legitimate goal of diversity on the court by nominating an African-American who has an undistinguished legal career and scant judicial experience but has demonstrated allegiance to ultra-conservative positions; and

WHEREAS, in 1989, at the time of Clarence Thomas' appointment to the District of

Columbia Court of Appeals, the American Bar Association gave Thomas its lowest qualified rating and, to date, Clarence Thomas has only seventeen months of judicial experience; and

WHEREAS, as Chairman of the Equal Employment Opportunity Commission, Clarence Thomas allowed 13,000 age discrimination complaints to expire by willful refusal to prosecute, focused on individual discrimination cases rather than class actions challenging broad systemic discrimination, eliminated the EEOC practice of setting goals and timetables for employers to make jobs available to women and people of color and reinstated the policy only after it was upheld by the Supreme Court in 1986, and constantly displayed flagrant disdain for the law and Congress; and

WHEREAS, Clarence Thomas' criticism of long established precedents such as Brown v. Board of Education, and of rights and protections such as minimum wage laws, affirmative action, and fundamental privacy rights has prompted leading African-American, Labor, Women's and Civil Rights organizations to oppose his nomination to the Supreme Court.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh opposes the Thomas nomination and urges the Senate Judiciary Committee, and particularly Senator Specter, to reject the Thomas nomination; and

BE IT FURTHER RESOLVED, that City Council calls on President Bush to nominate a candidate who can inspire confidence in the Supreme Court as the final arbiter and protector of the rights of all people.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Michelle Madoff:

Discussion. As the historian, it seems to me in the over 13 years that I have been here, from time to time Council has taken a position on world issues, government issues that pertain to the United States, sometimes Canada because we have very strong feelings, and we are, after all, elected voices of the people. I think we would be remiss not to speak out on important issues and I don't understand why the media is taking this position about attending to our business.

Let's put this in perspective. We are not passing legislation here; we are voicing an opinion and we're sharing with the public, through the media, our opinion. And I believe that a better choice could have been made and I think many minority groups feel very much the same way.

I think it is wrong for the media to say that we should keep gagged and not be able to speak out and I am honored to vote with my colleague.

Mr. Milliones:

Thank you.

Mr. Ferlo:

I just want to say that I didn't run for public office to sit on the sidelines. I also didn't run for public office to be an ostrich with my head in the sand.

The history of this Council, as late as the 1800s through the 1900s, has been a Council that has reflected a barometer of opinion and concern and has manifested itself in many different ways during the decades long history of this Council on all types of national and international issues. I find it ludicrous and laughable that the media, the John Craigs of the world, and others would

suggest that City Council has nothing to do with this issue. This Council has been concerned about everything from the rights of people in South Africa to the conflict in regards to the military budget and issues of world peace.

These are all issues that we cannot hide from. We cannot run from these issues. Whether we like it or not, these broader national and international issues at some point do affect the well-being of our citizenry, whether it be the economic health of our City as it relates to the inflated military budget or whether it be young men and women dying in wars that we think should not be fought.

So, we cannot be silent on all kinds of different issues that unfortunately invade this Council Chamber whether we like it or not. And I think in this instance the Thomas appointment is another case in point.

I'm concerned about the economic rights of working people in this country that I think have been under attack, especially with the onslaught of the Reagan Administration. I don't feel that Mr. Thomas will be fair. I don't think he will be fair on the most important judicial body in this country. From the viewpoint of civil liberties of the issues of separation of Church and State, and a host of other issues, I don't think he's the person that should be appointed and I think we need to express a viewpoint that our Senators can be sensitive to. We are the bellwethers.

Mr. Regan:

Mr. President, I think my honorable colleague, Mr. Ferlo, will be judged by a judge in the near future and I hope that he dispenses justice.

But I would like to say that it seems to me that City Council is misjudging its priorities. Such great emphasis on opposing a nomination

of the United States Supreme Court of Judge Clarence Thomas has clouded the thinking of certain Members of Council.

The City of Pittsburgh has a budgetary problem, an increasing crime rate, an expensive service duplicated City Court, as well as a myriad of other urgent problems.

In my opinion, Council should concern itself with eliminating administrative access in the Public Safety Department and get more policemen out on the streets of the City of Pittsburgh.

I was not elected to decide who should be or who should sit on the Supreme Court of the United States of America. I took an oath to provide services and to see the best interest of the taxpayers of the City of Pittsburgh.

I applaud the Members of Council who voice their opinions on national issues so long as they express them as individuals and not use City Council as a forum for their particular and personal benefits.

I have my own opinion as to the appropriateness of Judge Thomas' appointment. I will express that opinion but not at a City Council Meeting where it is inappropriate.

Let us get on with the business of running the City of Pittsburgh and not delve into national issues which have no relevance to us as elected officials.

At the end of the Council Meeting today, I'm going to ask Councilmembers to join me in a letter to President Bush about the drug problem in the City of Pittsburgh which I think is important not only here but on the national scene.

And it's no disrespect to my colleagues on Council whom I have the utmost respect for, but

that's my opinion on this particular issue.

Mr. Cohen:

I have great respect also for the Councilman from the North Side. I respectfully disagree with him on this issue. I think that all of us here are focused on important issues in the City like crime, certainly.

But I think what has gotten lost here is the fact that this nomination very much will affect the City of Pittsburgh. I think we're being somewhat narrow and parochial in our thinking if we think that the United States Supreme Court decisions do not affect the City of Pittsburgh. We are a major city, we can't forget that fact, and are part of this country and will definitely be affected by these decisions.

Just as an example, and one that Councilman Milliones raised in the resolution, is that when Judge Thomas was head of the Equal Employment Opportunity Commission, he allowed 13,000 cases involving the elderly age discrimination cases to go without action and has shown himself really to have an insensitivity and disregard for the elderly.

In 1987 he issued a regulation that allows employers to ask older workers to waive their rights under the Age Discrimination Employment Act. Well, Pittsburgh is part of Allegheny County and Allegheny County has the highest per capita elderly population in the country. If we think that somebody like this who is insensitive to the elderly, who gets on the Supreme Court and makes decisions like that, is not going to affect the City of Pittsburgh, then we, in my view, are being parochial in our thinking.

And then you add on top of that his insensitivity to minorities. I mean, he attacked the landmark decision in the history of the United States, I would offer, the landmark decision in

civil rights, Brown versus Board of Education, a 1954 case that called for the dismantling of segregated school in our country. He criticized it saying that it was based on dubious social science.

This is somebody who is outside the mainstream of thinking in America. And if we allow somebody who has openly opposed established tools involving civil rights in the workplace, who has opposed women's rights — when he was Director of the Office of Civil Rights in the Department of Education, he attempted to repeal anti-discrimination rules that had been in effect since the 1970s — if we allow someone like this to get on the United States Supreme Court, every city and rural area in the country is going to be affected. And if we think the City of Pittsburgh isn't going to be affected by that, then we're being narrow in our thinking.

I think this is an important resolution and I'm glad that Councilman Milliones is sponsoring it.

Michelle Madoff:

May I make one quick comment? I would like to see a transcript of some of the points, particularly of my colleague who is sponsoring the bill, in a condensed form of what has been stated, with not only the resolution but an attached letter that itemizes very specifically how, indeed, I disagree with my good colleague, Mr. Regan, that it does affect this community very, very much.

The Chair:

I need to make a comment because my vote will reflect to some degree my comment.

In a previous Council I did not vote on a resolution against the appointment of Robert Bork. As a matter of fact, I left the room prior to

the vote. I must say the reason was that the resolution brought so much controversy within the body that I thought that it was divisive within.

This is a far better Council than that Council and that obviously isn't occurring here, but at the same time, I still think there's tremendous discussion on this appointment that has not occurred publicly, particularly the person being interviewed. Has Clarence Thomas faced the Judiciary Committee yet and answered the questions that have been mentioned by so many people, thousands of people in this country? The answer is no.

Should we be making the decision on this individual? I personally think no. And, consequently, I am going to abstain in my vote. However, I think this Council is handling the situation far better than the previous Council.

Mr. Darkins:

Mr. President and my colleagues on Council, I would like to also voice my sentiments. I am going to join you in abstaining from voting on this particular matter.

Mr. Regan:

As a courtesy to my colleagues, I'm going to abstain and not vote no.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Michelle Madoff
Mr. Milliones

AYES 5

NOES none

(MR. DARKINS, MR. REGAN AND MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Regan presents

No. 3093 WHEREAS, far too many Pittsburghers are homeless or near homeless; and

WHEREAS, the City of Pittsburgh declares that HOUSING IS A HUMAN RIGHT and that no one should be homeless; and

WHEREAS, the City of Pittsburgh calls upon the State and Federal Governments to fully fund the various housing and related programs designed to prevent and eliminate homelessness; and

WHEREAS, the City of Pittsburgh supports the concept of the 4th Annual Homeless/Community Picnic to be held in the West Park on the North Side on August 26, 1991 from 11:00 a.m. to 6:00 p.m. as a way of bringing the community together and increasing public awareness of homelessness.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares August 26, 1991 as "Homeless Awareness Day" and encourages all Pittsburghers to participate in the picnic and other activities to help eliminate homelessness and promote community harmony. "IT COULD

ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 3058 Resolution providing for the issuance of a warrant in favor of the Commonwealth of Pennsylvania in the amount of \$400.00 in payment of the City's portion of the State's cost of reviewing the design of the Reconstruction of the Larimer Avenue Bridge over Conrail, payable from Code Account EC 89-19.

Also,

No. 3059 Resolution providing for the issuance of a warrant in favor of U.S. Nuclear Regulatory Commission, License Fee and Debt Collection Branch, in the amount of \$1,500.00 in payment of the Annual Materials Fee Invoice, payable from Code Account 1482, Misc. Services.

Also,

No. 3060 Resolution providing for the transfer of \$1,500,000.00 to the "Market Square Improvements Trust Fund," which represents front funding for the restoration and renovations of Market Square. The City Controller is authorized to transfer the amount of \$999,999.00 from Code Account 3-13-60-1285-91, Index Code #816793 and \$500,001.00 from Code Account 3-13-60-1285-86, Index Code #730259, for an aggregate total of \$1,500,000.00.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3061 Resolution providing for the creation of a special trust fund to be known as the "Market Square Improvements Trust Fund" for the deposit of funds to be used for the Restoration of Market Square. Upon completion of said project, the unexpended funds shall be redeposited in the Dept. of Engineering and Construction's Unrestricted Cash, 1989 Project Fund, and credit Code Account EC 91-101 and EC 86-38.

Also,

No. 3062 Resolution further amending Resolution No. 1415, eff. January 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by amending the title of EC 91-101 (Market Square Public Improvements) to read "Market Square Public Improvements Trust Fund Transfer.

Also,

No. 3063 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Restoration and Renovation of Market Square and for the purchase of equipment and materials for said project, at a cost range of \$1,000,000.00 or more, but less than \$1,500,000.00, chargeable to and payable from the Market Square Improvements Trust Fund.

Also,

No. 3064 Resolution providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation to reimburse the City for 80% of the costs of our in-house bridge inspection

program. Any reimbursement received from the federal/state government shall be deposited in the Dept. of Engineering and Construction's Unrestricted Cash, Code Account 3-13-35-0002. The amounts of reimbursement shall not exceed the annual appropriation for the Engineering Services account.

Also,

No. 3065 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Miscellaneous Repairs to Various Streets and Structures at a cost not to exceed \$250,000.00, chargeable to and payable from Code Account EC 91-56.

Also,

No. 3066 Resolution providing for a Contract or Contracts, or use of existing Contracts, for sidewalk replacement at various locations maintained by the Housing Authority, including but not limited to Garfield Heights, at a cost range of \$100,000.00 or more, but less than \$125,000.00, chargeable to and payable from Code Account CDEC 90-36.

Also,

No. 3067 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction of Handicapped Ramps in Various Communities throughout the City of Pittsburgh, at a cost range of \$100,000.00 or more, but less than \$200,000.00, chargeable to and payable from Code Account CDEC 90-32.

Also,

No. 3068 Resolution amending Resolution No. 231, eff. March 14, 1991, entitled "Providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of equipment and materials in connection with the

Safety Code Compliance Program; and providing for the payment of the costs thereof," by increasing the total project allocation by \$63,087.76 from \$15,000.00 to \$78,087.76.

Also,

No. 3069 Resolution providing for the acquisition from Patrick Cox and Catherine Cox, his wife, and Daniel Seemiller and Valerie Seemiller, his wife, certain property located in the 29th Ward of the City of Pittsburgh, for the relocation of the Carrick Branch of Carnegie Library; providing for a Cooperation Agreement or Agreements with The Carnegie for the renovation of said property; and providing for the payment of the cost thereof. The aggregate amount shall not exceed \$198,625.00, chargeable to and payable from Code Account EC 89-67.

Also,

No. 3070 Resolution Repealing Resolution No. 1005, eff. October 22, 1981, as amended by Resolution No. 76, eff. February 22, 1982, entitled "Providing for an Agreement or Agreements with the Norfolk and Western Railway Company for permission to tunnel under their tracks in connection with the reconstruction of the Saw Mill Run Sewer."

Which were severally read and referred to the Committee on Engineering and Construction.

Also,

No. 3071 Communication from Councilman Dan Cohen, requesting permission for Administrative Assistant, Cynthia Busis, to attend a meeting in Philadelphia, PA on August 13, 1991 on Historic Preservation, at a cost not to exceed \$450.00, chargeable to and payable from Code Account 1001-3, Education and Training, City Council. (PRIOR APPROVAL

GRANTED)

—(SPONSORED BY MR. COHEN)

Which was read, received and filed.

Mr. Coyne presented

No. 3072 Resolution providing for an Agreement or Agreements of lease with DiNardo Limited (owner Charles DiNardo) of certain indoor and outdoor space for an initial term of five (5) years, at \$1.00 per square foot annually, for the purpose of securing space to be used for the storage of vehicles by the City of Pittsburgh and the Department of Public Safety, subject to and contingent upon the annual appropriation of funds for the said Agreement of lease, chargeable to and payable from the Confiscated Narcotics Proceeds Trust Fund (CNPTF, Dept. of Public Safety. Effective Date upon the Mayor's signature.

Also,

No. 3073 Resolution further amending Resolution No. 1415, eff. Jan. 1, 1991, entitled "Resolution adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," which was further amended by Res. No. 582, eff. June 18, 1991, by increasing Project 228 (Bureau of Repairs and Operating Maintenance), by \$415,000.00 from \$750,000.00 to \$1,165,000.00.

Also,

No. 3074 Resolution amending Resolution No. 585, eff. June 18, 1991, entitled "Providing for the letting of a Contract or Contracts, or to exercise against existing Contracts for various repairs and renovations to City Facilities, and providing for the payment of cost thereof," by increasing the total project

allocation by \$215,000.00, from \$450,000.00 to \$665,000.00, chargeable to and payable from Capital Account 3-30-01-0003-91 (Project Fund), Bureau of Repairs and Operating Maintenance, Dept. of General Services.

Also,

No. 3075 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase of a Three Wheel Forklift Truck for the Dept. of General Services, at a cost not to exceed \$28,000.00, chargeable to and payable from Code Account 4-30-01-0001-88, (Bond Fund), Index Code 370346, Miscellaneous Equipment for City Departments.

Which were severally read and referred to the Committee on General Services.

Mr. Darkins presented

No. 3076 Resolution transferring the amount of \$2,500.00 from Code Account 1632, Supplies, to Code Account 1631, Misc. Services, and \$1,500.00 from Code Account 1632, Supplies, to Code Account 1635, Equipment, all accounts within the Dept. of Public Works, Painting Division.

Also,

No. 3077 Resolution transferring the amount of \$50,000.00 from Code Account 1612-1, Repairs, to Code Account 1610, Misc. Services, both accounts within the Dept. of Public Works.

Which were read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the

meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 3078 Resolution providing for the issuance of a warrant in favor of Albert Petrarca, 5703 E. Liberty Boulevard, Pittsburgh, PA 15206, in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Jim Ferlo, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, (Council District #7). ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 3079 Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Mercy Hospital of Pittsburgh for authorization to construct a five-story, 110,000 square feet addition, with a one-story penthouse and a front yard depth of eleven (11") inches along LOCUST STREET, to the existing hospital structure located at 1400 LOCUST STREET on property zoned "I-C" Institutional-Civic District,

1st Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 3080 Resolution providing for the issuance of a \$781.50 warrant in favor of Charles R. and Grace E. Pleasant in settlement of claim for sidewalk damage at 218 North Dallas Avenue, caused by the City tree roots, payable from Code Account No. 46, Judgments.

Also,

No. 3081 Resolution providing for the transfer of \$6,500.00 from Code Account 1017, Mayor's Office, to Code Account 1034-1, Premium Pay, Commission on Human Relations. These funds are needed to pay for premium pay expenditures for the remainder of the year.

Also,

No. 3083 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Also,

No. 3085 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984."

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 3086 An Ordinance adopting a Municipal Drug Task Force Agreement with the office of Attorney General of the Commonwealth of Pennsylvania to enforce narcotics and illegal drug laws in the City of Pittsburgh and thereby preserve the safety and welfare of the community.

Also,

No. 3087 Resolution amending Res. No. 43, appr. Feb. 5, 1991, eff. Feb. 12, 1991, entitled: "Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Dept. of Public Safety," by increasing the allocation by \$10,000.00, from \$48,000.00 to \$58,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Dept. of Public Safety.

Which were read and referred to the Committee on Public Safety.

Mr. Regan for Mr. Ricciardi presented

No. 3088 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of August, 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District #3, City Council.
--(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS**Michelle Madoff:**

While I may not have been here, I have been working very hard on a number of issues and I would like to share some with Council.

For 13 years, I have watched what has happened in the Water Department and I have watched, looking at the print out sheets and the monies owed, and who pays their water bill and who doesn't pay their water bill, and we're not down from 18 million to 12 million, presumably through removing City-owned properties, removing those properties that may never be collectible, turning them over to agencies by removing bankrupt buildings and so on.

It is inexcusable that in these times when the City is suffering from a lack of funds, talking about putting people out of work, that we as a Council had not reviewed the lease back agreement between the Water and Sewer Authority and the City of Pittsburgh. I have made contact with some people who are going to do just that for me.

And, in defense of the Administration, they are also telling me that they're looking into my resolution which I believe Council voted for or I submitted to them as a proposal. I don't know if it was ever passed here, I can't recall, that we have a day of forgiveness. I don't think it did come to Council yet. That would mean that the people who owe their money would be forgiven the penalty but would have to pay the interest, I believe. It's one or the other. The law says you can't forgive the interest, I think they have to pay it, but they would forgive them the penalty.

In any event, we talked to Clarence Perkins, to Jim Roddy, and to Bob Wilburn. They think it's doable. Clarence seems to think that we would take in \$7 million.

If anybody is listening, would you please bombard the Administration and let them start to move so that not only can we get that \$7 million for the City that is desperately needed that will affect the arguments that will go on here and the discussion that will go on here very shortly in November about raising taxes or letting people go and perhaps cutting back on some services, because we really have to do something about bringing these dollars in.

I have tried every which way and no matter what I say the media will report, "Oh, that was already being done. It was already in the works. Your recommendation didn't mean anything." That's nonsense because I have worked very closely with the Administration. Some of my ideas have been absorbed but the major issue here is that they tell me that if that \$7 million or \$12 million comes in, that money would go to the Water and Sewer Authority to retire the debt. There's something wrong with that agreement. Some of that money has to go into this General Fund and that has to be renegotiated.

I have asked our legal counsel, by that I mean a Member of Council, his attorney, to please take a long, hard look at it. I'm having a number of attorneys take a long, hard look at it. I'm going to talk to a lot of people who were in the initiation forms of that authority to take a long, hard look at it.

I got a note today that the Water and Sewer Authority will let us know within the next few days if they're planning a day of forgiveness. But, again, if that \$7 million were to go to retire the debt, what is it going to do to keep our taxes under control? That is one of the issues we ought to be looking at.

Another item in the same vein that I would like Council to look at. I would like to

have Council invite some people to Council from out of state who have nothing to gain because they don't get a piece of the pie and they don't want a piece of the pie and they have no vested interest, to come and talk to us about bond issues.

I have taken the last three or four years to educate myself simply because of my own holdings and hope, as I get older, that I will have some money to live on. And it is very apparent, one doesn't have to be a genius, if you look at a printout of all the bonds in the last ten years and you see certain people getting the bonds all the time and they're off the basis points, and you've heard me talk about basis points, but I want to bring it down to the common denominator.

If you go out to buy a bond, and I'm just going to take one at random, Alcosan, and the bond issue that day, the interest is 7.45, and that's great for me, I buy it because I'm going to make a lot of money, but there's nowhere else in the United States, they have a thing called a blue sheet like a blue book when you buy a car, there's not one single bond that day within that window that goes out over 7.2. And on a 30 year bond, the difference between .2 and 45 is \$6 million that the ratepayers of this City and the taxpayers of this City are paying that they don't have to pay, perhaps.

I'm saying that we need to educate ourselves. I am firmly convinced, firmly convinced, that we should rarely, if ever, go out on a negotiated bond. It should be a competitive bid. There are exceptions. When we renegotiated our \$190 million City debt at a high interest rate of something like 11 or 12 percent down to 7, yes. On something that big, you do it. But we have hired expert people to guide us, Barbara Bisgaier, and she knows that you don't go out on the Thursday before Thanksgiving, and she knows if we're going to have Gulf War you put some riders in that if you go to war that this is null and moot.

We need to find out where those millions of dollars are going and being paid and I really believe that we are paying them needlessly and those are the two items I would really like to see Council dig its teeth into and its claws into and really educate themselves. And I think you're going to find that what I was told a number of years ago when I pointed this out as a guest editorial, they held it for a week and did an editorial and said, "Michelle, a little bit of knowledge does a lot of harm." Well, I don't want a little bit of knowledge. I want you to share the same knowledge as I have obtained and the hours that I put in learning. And you're going to come to the same conclusions that I have come to.

Mr. Cohen:

Mr. President, on another matter. I was very disturbed by the article in the Pittsburgh Press on Sunday regarding police response time. I want to commend them for a very thorough investigation which involved a 15 month period and over a half million calls for police through 911.

The results show a vast disparity of how quickly police will respond to your emergency depending on where in the City you live. Some areas have a much faster response time than others, in particular Zone 5, which includes the neighborhoods of Bloomfield and Friendship in my district have the slowest response time. Nearly double the amount of time than the fastest zone, the residents of Zone 5, I think, have always suspected that they were getting slower response times than some other places, but now we have hard evidence to show that that's true.

This is an intolerable situation, especially when we're talking about people's personal safety.

And I want to point out that it is not the

police officers who are at fault here at all. Once the police in their cruisers receive the dispatch, then the response times are very consistent, approximately 9-1/2 minutes, no matter where in the City you live. The problem is from the time that you call 911 until the time that it is relayed to a police cruiser. The disparity in response time there is incredible, from 15-1/2 minutes in some parts of the City to 27 minutes in other parts of the City. Something is wrong, Mr. President, at Central Command.

We spent over \$3 million on the CAD System, the Computer Aided Dispatch System, but that money is a waste if we can't give all residents of Pittsburgh fair treatment on their police protection.

There has to be a change. Either we need to reallocate police within the zones, or we need to split up some zones, especially Zone 5, or we need to change the dispatch system right now. The way it works is that you have one dispatcher for two zones. You have a dispatcher for Zones 1 and 2, one for 3 and 4, and one for 5 and 6. The way that works, though, is that the number of calls during that 15 month period for Zones 5 and 6 was 182,000 calls, whereas for Zones 3 and 4 was only 113,000.

I don't want to say what the solution must be right now, Mr. President, but I do think that we have to make changes to ensure that we have a system where residents don't have to worry that they won't get adequate police protection depending on where they live.

What I would like to do is make a motion that we send a letter from Council to Director Cannon and to Chief DeRoy asking them to respond to this evidence that has been presented, to give the reason for the disparity in response times, and also what actions they intend to take to overcome them.

I have also scheduled a post agenda meeting for September 11th, a week from tomorrow, to bring Director Cannon and Chief DeRoy here to discuss this with them and to come up with a plan to make it a fairer system.

Mr. Regan:

Before I second the Honorable Councilman's motion, I commend him for taking the bull by the horns here and I think that he's headed in the right direction. Something has to be done. But in defense of 911 and the police, I would like to say there's a lot more people in that zone than in the other zones. Thousands more people.

I don't use that as an excuse but I just want to make that statement and I second the Honorable Councilman's motion.

Michelle Madoff:

Same subject. I would ask my colleague that instead of writing a letter and instead of having a post agenda, I want a public hearing. I think it's terribly important and I'll tell you why.

I have gone through a metamorphosis on this. I had, in years past during budget hearings, suggested that we have a special tax that will go to police officers only on a line item. And I believe people would vote for that. That has failed repeatedly.

There is new state of the art technology all over the country. There's technology on finding people who had stolen cars but we haven't done it in the State of Pennsylvania because that it seems that the central part of the state is somewhere near Harrisburgh where they are out in the country and if somebody steals a car it's not the current, every day event. Our stolen cars are unbelievable and there is technology out there to track it within 20 minutes.

We have technology where you put a computer chip into a vehicle whether it's a paramedic or a police car so that if the car was in another zone but closer to the next zone, then a car in it's own zone — In other words, two cars could be in the same zone, one not as close as a car in the next zone, we can shoot the car over for help.

There is so much new that's being done but I think that public hearing should invite people who are experts on fingerprinting juveniles and why we need to put those into the system. Put the fingerprints of the youngsters into the computers, the juniors.

I would like to see somebody come in and talk about the computer chips in the cars. I'd like to see someone come in and talk about the new technology on finding stolen automobiles.

I believe the public would pay a tax that would be dedicated to have more police if we did that. If we told them what we were going to do with the money, I think that the money would be forthcoming.

Fortunately, we're still a City that is not labeled as a disaster to live, crime-wise, and let's stop it before it happens.

So, I'm asking — a public hearing?

Mr. Cohen:

Councilwoman, I'm not opposed at all to a public hearing but, if you don't mind, what I would like to do first is give Director Cannon and Chief DeRoy an opportunity to respond to this evidence.

Michelle Madoff:

They did in the paper.

Mr. Cohen:

Let them respond to us directly. And then, at that point, if we don't get some satisfactory results, I think we should go for a public hearing.

Michelle Madoff:

May I then request that in the letter that we send to DeRoy and Cannon that we ask the state of the art on tracking vehicles with computer chips, the state of the art of why we have not progressed to putting minors' fingerprints into the vehicles, why we don't tak fingerprints, period. And, thirdly, what is the technology and the state of the art in tracking stolen cars.

Just sitting and talking to ourselves for the 900th time doesn't accomplish anything. And all I get is the press saying that Michelle didn't attend another hearing. That's because I heard it ten times and we don't have any solutions. Let's get somebody here to give us some answers.

The Chair:

There's a motion on the floor and a second and I think it's an excellent motion to have a public hearing and to send a letter requesting information.

I'd like to add to that that more specifically the narcotics problem be identified by zone. Due to the fact that 50 percent of the serious crimes are related to narcotics, what we have seen in that zone recently, I think there's a direct correlation between the two. And with greater attention placed on the narcotics problem that should help reduce the problem that exists in other areas.

There are also some other factors that need to be put out for discussion; land mass in the

zones, in other words, how big these zones are, what that means in terms of response time, location of the stations, where these vehicles are, where fueling is going on, why we have a decline in the number of canines in this City. They assist police officers.

These are a few issues that I think could be discussed and I'm pleased, Councilman Cohen, that you're suggesting a post agenda.

So, we have a motion and a second.

Mr. Regan:

I take exception to my colleague rapping the media. If they have been good to anybody, they have been good to me.

The Chair:

There's a motion on the floor and a second. All those in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Regan:

Mr. President, I today am going to put a letter together as Director of Public Safety and I ask my colleagues to join with me in signing this letter if they feel that it's in the best interest of this City, to the President of the United States, George Bush.

I ask him, and the Federal Government, if we're going to call it a drug war, then I think we should attack it as a drug war.

I write this letter because of the outbreak of violence in the City of Pittsburgh over the past few weeks with guns and shooting at people which I think is related to drugs. And if it's called a drug war, then I think we ought to treat it was a war. And if we put the same amount of effort into

the drug problem in the United States that we have into the Persian Gulf War, then I think we could eliminate it. Not totally, but we could do a tremendous job.

I ask Council to support me in this move and endorse this letter because the drugs in the United States affects a lot more people than the Persian Gulf War did. I think it's about time that the Federal Government pulls up their pants and swings into action and do something about the drug situation.

Not this budget but the budget before they expended less than one percent of the federal budget to fight the war on drugs. To me, that's not a commitment to get into a good battle for all the people involved in this Country with drugs.

I feel that it affects from kindergarten to adults and I think it's about time that the Federal Government really rolled up it's sleeves and really attacked the drug war and not just go through the motions. And I would like support in that letter.

Mr. Cohen seconded the motion.

Michelle Madoff:

May I comment on it? I not only second it, and I will vote for it, but I would like to point out that it really isn't any different than the motion that was introduced by my colleague previously about the new judgeship. It is not a local issue; it

is a federal, national issue and I would like to point out that you might want to see the comparison.

Mr. Regan:

Councilwoman, I made that statement especially for you, that if you didn't want to sign it, you didn't have to.

The Chair:

All those in favor of the motion? Opposed?

WHICH MOTION PREVAILED.

Mr. Milliones moved to approve the Minutes of Tuesday, August 6, 1991 and Monday, August 12, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan moved to excuse Mr. Ricciardi for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milliones**

Council adjourned.

The first part of the paper discusses the importance of maintaining accurate records of all transactions. This is particularly true for businesses that operate in a highly competitive market. By keeping detailed records, a business can identify areas where costs can be reduced and revenues can be increased. This information is also useful for tax purposes, as it allows the business to claim deductions for expenses that are directly related to its operations.

In addition, maintaining accurate records can help a business to better understand its customers and their needs. By tracking sales and customer interactions, a business can identify trends and patterns that can be used to develop more effective marketing strategies. This can lead to increased sales and a stronger customer base.

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MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, September 10, 1991

No. 35

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, September 10, 1991

PRESENT:

MR. COYNE	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

ABSENT:

MR. COHEN	MR. RICCIARDI
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The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We'd like to ask Mary Zubero and Lisa Tronzo to please step forward to receive this resolution.

The Chair and Michelle Madoff present

No. 3110 WHEREAS, on September 12th and 13th, Magee Women's Hospital, in cooperation with the Greater Pittsburgh Chamber of Commerce, the YWCA of Greater Pittsburgh and the Greater Pittsburgh Commission for Women, will host A Celebration of Women 1991 at the Vista Hotel; and

WHEREAS, A Celebration of Women 1991 is part of a national event designed to address issues of interest to women - from financial planning to family health care to environmental concerns; and

WHEREAS, this year's program will feature 20 workshops and more than 50 exhibit booths and is highlighted by nationally acclaimed keynote speakers which include award winning journalist Jane Bryant Quinn, author and lecturer Delorese Ambrose and editor of Essence Magazine Stephanie Stokes Oliver; and

WHEREAS, also included in this year's program is the presentation of the first ATHENA Award by the Pittsburgh Chamber of Commerce,

the Oldsmobile Division of General Motors Corporation and the Super Grands Old Gang Dealer Association; and

WHEREAS, the ATHENA Award Program recognizes, encourages and celebrates the achievements of women in business and the professions who attain and personify the highest level of excellence; and

WHEREAS, other sponsors of this event include Mellon Bank, Heinz U.S.A., Blue Cross of Western Pennsylvania and Pennsylvania Blue Shield.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby encourages women from throughout the Pittsburgh region to take part in this program which will celebrate the potential of all women as valued members and leaders of the community; and

BE IT FURTHER RESOLVED, that City Council salutes the organizers, sponsors and participants of this year's Celebration of Women.

Michelle Madoff moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

The Chair:

We're honored to have Mary Zubero here and Lisa Tronzo and I'm also honored to sponsor this resolution with my colleague, Michelle Madoff.

Michelle, would you like to say a few words?

Michelle Madoff:

Members of Council, Mr. President, you know, women still are second class citizens, still get paid in the work place less than men do for the same work. There's a study going on now and hearings in Harrisburg about women being disenfranchised through divorce and impoverished. There are so many issues that women need to deal with.

Last year, unfortunately as you know, I was involved in a little election, I was going to teach a course on what women need to know that they're not taught by their mothers and fathers and husbands on how to protect themselves from financial ruin by knowing how to play the game along the way, and I make that offer to do it at a later time.

I think it's terribly important that this Council shows its support not only today, just a perfunctory resolution, but when we get to budget time that we support women's issues.

Ms. Zubero:

On behalf of Magee, I'm very proud to be helping to sponsor the second annual Celebration of Women and honored to be here today to accept this resolution.

At Magee, we are advocates for women's health and women's health research issues, nationally, state-wide and locally. And an important item on our agenda is to make sure that the national government and the state government and our local government pays attention to the fact that women have been under-represented in women's research as subjects, women's health concerns have been unaddressed, and women as researchers have not been funded. We are working nationally to try to address that.

Locally, we're trying to raise the consciousness of our community about women's issues. And, in particular, a family issue which has to do with the high infant mortality rate in the City of Pittsburgh. We are trying very hard through programs at Magee, through our clinics, through our outreach programs, and through programs such as the Celebration of Women, to address the needs of our community in general and the Black community in particular.

Although, as Michelle mentioned, we don't have any Black representatives of Magee Women's Hospital here today, you might note that two of the three keynote speakers are nationally acclaimed individuals from the Black community. We at Magee want to make sure that all groups of women are equally represented in the programs that we address.

I thank you very much for this proclamation and for the attention that you have given this event.

Ms. Tronzo:

I'd like to thank all the Members of Council and also the members of the Mayor's Administration for supporting Magee and this event and many of the on-going programs that we're working on to address women and infants.

I think it's also important for you to know that we had over 85 scholarships sponsored by local corporations and foundations which have been provided for low-income women and women at risk to attend this conference free of charge, and we placed all of those in many City agencies.

Thank you.

The Chair:

Thank you both and we look forward to

seeing all of you and everyone on the 12th and 13th at the Vista. Thank you again.

Mr. Darkins presented

No. 3094 Resolution providing for the transfer of funds totalling \$114,000.00 from Code Account 1188, Recycling Services, Dept. of Environmental Services, as follows: \$57,000.00 into Code Account 1147, Material, Dept. of General Services, and \$57,000.00 into Code Account 1149, Tires, Tubes and Chains, Dept. of General Services. This transfer is necessary to cover the cost of gas, oil, and maintenance of the recycling vehicles.

Which was read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 3095 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a non-binding referendum question as to the voter's preference regarding the construction of a new baseball stadium.

---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 3096 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 Exceptions, by providing City Council the authority to reduce/modify the amount of open space, lot area, building setback yards and building height for conversion of existing buildings to housing for the elderly when located in a "C4" Commercial Zone, with an affirmative recommendation from the Planning Commission, under Conditional Use Exception 993.01(a)(33).

Also,

No. 3097 Resolution approving a Conditional Use Exception under Section 993.01(a)(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the County of Allegheny for authorization to convert the existing four-story structure located at 2408 FIFTH AVENUE, into a community correctional/drug and alcohol treatment facility for a maximum of 60 participants (work release center); with parking to accommodate five (5) automobiles, on property zoned "C3" Commercial District, 4th Ward.

Also,

No. 3098 Resolution amending Res. No. 608, eff. June 25, 1991, entitled "Providing for the execution of a Cooperation Agreement or Agreements with the URA of Pgh. for the performance of certain work in connection with the 1991-1992 Community Development Block Grant Program; and providing for the payment of the costs thereof," to increase the amount of the grant by \$729,000.00 (from \$8,545,000.00 to \$9,274,000.00).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 3099 Resolution providing for the issuance of a \$8,750.00 warrant in favor of Michael F. and Cathynn Belliotti for property damage due to improper backfilling by the Dept. of Public Works during the summer of 1985 on Spokane Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 3100 Resolution providing for the issuance of a \$940.79 warrant in favor of Duquesne Light Company for property damage incurred when a city refuse truck struck a utility pole on Loyal Way on January 28, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 3101 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Joyce L. Brown in settlement of claim for property damage due to a water main break on Wiltsie Street on September 6, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 3102 Resolution providing for the issuance of a \$975.00 warrant in favor of Peter F. Muscio in settlement of claim for property damage due to overflow of a gutter drop during a heavy rainstorm on May 30, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 3103 Resolution providing for a professional services agreement or agreements for the administration of the City's Worker's Compensation Program for a period of three years beginning January 1, 1992 and ending December 31, 1994 and providing for the payment of the cost thereof, subject to annual appropriations, at an annual cost not to exceed \$700,000.00, chargeable to and payable from Code Account 44, Worker's Compensation, Dept. of Finance.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 3104 Resolution authorizing the

transfer of \$115,000.00 from Code Account 1457-9, Police Worker's Compensation to Code Account 1470-9, Fire Worker's Compensation, Bureau of Fire, Department of Public Safety. This transfer is necessary to maintain operating procedures for Code Account 1470-9.

Which was read and referred to the Committee on Finance.

Mr. Regan for Mr. Ricciardi presented

No. 3105 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of September 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District #3, City Council.
---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 3106 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of June 30, 1991.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 2793 Resolution appointing Frank Sklar, 146 North Bellefield Avenue, Pittsburgh,

Pennsylvania 15213, as a Member of the Ethics Commission for a term to expire June 15, 1991.

Which was read.

Also,

No. 2794 Resolution appointing Lawrence E. Moncrief, 1364 Silverton Avenue, Pittsburgh, Pennsylvania 15206, as a Member of the Ethics Commission for a term to expire June 15, 1994.

Which was read.

Also,

No. 3041 Resolution appointing Marion Monheim, 320 Fort Duquesne Boulevard, Pittsburgh, Pennsylvania 15222, as a Member of the Ethics Commission for a term to expire June 15, 1992.

Which was read.

Also,

No. 3042 Resolution appointing Michael J. Lynch, 1832 Shaw Avenue, Pittsburgh, Pennsylvania 15217, as a Member of the Ethics Commission for a term to expire June 15, 1993.

Which was read.

Also,

No. 3043 Resolution appointing Tom Solomich, 5710 Aylesboro Avenue, Pittsburgh, Pennsylvania 15217, as a Member of the Ethics Commission for a term to expire June 15, 1994.

Which was read.

Mr. Ferlo:

Just in relation to discussion at the table, I believe Mr. Solomich made a commitment to resign from the Political Action Committee of his company. Other than that, I think they're great appointments.

Mr. Milliones:

Similarly, Mr. Moncrief indicated that he would resign as Chair of Byrd Brown's Campaign Committee.

The Chair:

Is it the desire of Council to have the question and answering part of the public record?

Mr. Milliones:

Yes.

Mr. Ferlo:

So moved, Mr. Chairman.

The Chair:

Okay, so we would request that the discussion at the Committee Meeting be part of the public record.

(DISCUSSION ON FOLLOWING PAGES)

(COMMENTS REGARDING APPOINTMENTS TO THE ETHICS COMMISSION)
(Wednesday, September 4, 1991)

The Chair:

Before we proceed with the Finance Committee meeting, we have appointees to be considered to the Ethics Commission.

The first person listed is Frank Sklar. Would you please come to the table, Mr. Sklar?

Questions of Mr. Sklar? Mr. Cohen.

Mr. Cohen:

Good morning. I want to congratulate you on your nomination and tell you that you certainly have one thing in your favor, and that is you come from City Council District 8, I don't know if you realize that, but you do.

I just have a few questions for you this morning. One of the important things about the Ethics Commission is that it be an independent body and as independent of politics as possible. So I want to ask you just a few questions about that.

Do you hold any public office or plan to run for any public office?

Mr. Sklar:

I do not now hold any public office nor have I ever, and I have no plans on ever running for any office in the future.

Mr. Cohen:

Very smart. Do you hold any office in any political party or committee?

Mr. Sklar:

No, I do not.

Mr. Cohen:

Lastly, on this aspect of it, do you hold a position of employment or appointment with the Commonwealth of Pennsylvania or any board or commission in the City of Pittsburgh?

Mr. Sklar:

No, I do not.

Mr. Cohen:

Have you had an opportunity to read the Ethics Act?

Mr. Sklar:

Yes, I did.

Mr. Cohen:

I am not going to ask you specifics about the Act, because I know you have to become quite familiar with it when you are approved, and I am sure that you will be, but I just want to ask a general question.

Do you believe that the violations that you read in that Act are, in fact, ethical violations and do you think that you can fairly and aggressively administer the Act?

Mr. Sklar:

I found nothing objectionable in what I read. I firmly believe in the law and that it be followed to the letter.

Mr. Cohen:

Last question I have for you is on time. I don't think that the Ethics Commission will meet regularly, that will be up to the commission itself when it convenes for the first time, but when there are controversial cases that come before the Commission that will be very time consuming, and you will probably have to put some things aside to be able to devote time to it. Do you feel that you will be able to do that in the relatively rare instances when that comes up?

Mr. Sklar:

Yes I do.

Mr. Cohen:

I want to congratulate you. You certainly have my vote. In looking at your resume, I can see that you have been involved in many, many charitable and fraternal activities. I want to thank you for agreeing to serve on this commission.

Mr. Sklar:

Thank you very much.

The Chair:

More questions for Mr. Sklar? Thank you very much, sir.
Mr. Moncrief?

Mr. Darkins:

Mr. Chairman, while Mr. Sklar is going to his chair, I would like it to be part of the record that I would like to congratulate him on his appointment. You're a very fine man, you're the right man for the job, and we are looking forward to your participation.

The Chair:

Questions of Mr. Moncrief?

Mr. Cohen:

Thank you, Mr. Chairman. I don't think you will be surprised by these questions,

Mr. Moncrief, but I want to ask you some of the same questions that I asked Mr. Sklar.

First, I want to congratulate you on your nomination and thank you for agreeing to serve. Do you hold or plan to run for any public office?

Mr. Moncrief:

I do not.

Mr. Cohen:

Do you currently hold any office in any political party or committee?

Mr. Moncrief:

Yes. I think you need to know that I am presently the treasurer of the Byrd Brown For Mayor Campaign, he ran a couple years ago. As treasurer, I am still required to file annual reports. However, if I am confirmed and if it is required, I am willing to resign from that position.

Mr. Cohen:

That is actually a good question, because you don't really hold office in a political party or political committee, which

is what the Act says. I think that is something that I need to think about, maybe both of us do, as to whether that would undermine your position on the Ethics Commission. But I appreciate you saying that if we feel that that would be necessary, that you would be willing to resign that position.

Lastly, do you hold a position of employment or appointment with the Commonwealth or any board or commission in the City of Pittsburgh?

Mr. Moncrief:

I do not.

Mr. Cohen:

The reason I am asking these, and I want to make sure everybody understands, is that the Ethics Commission is so important in terms of restoring public trust in government and that it is important that people who serve on the Commission be as independent of politics as possible. I know that is very difficult. But that is why I am asking these questions. I think that we should discuss the situation with the Byrd Brown Committee later.

Have you read the Ethics Act?

Mr. Moncrief:

I have reviewed it.

Mr. Cohen:

Do you feel that the violations that are described in the Ethics Act are, in fact, ethical violations and do you feel that you can fairly and aggressively enforce the Act?

Mr. Moncrief:

Yes, I do.

Mr. Cohen:

Again, on the matter of time, I think you heard my question to Mr. Sklar. Will you be able to devote the time to this committee?

Mr. Moncrief:

I will certainly try.

Mr. Cohen:

Mr. Moncrief, I have read your resume and I have certainly heard about you. You have a very distinguished career and are involved in so many different community activities, I think it is a real honor to have you on the Ethics Commission.

Mr. Moncrief:

Thank you. I feel honored to be asked, sir.

Mr. Darkins:

Attorney Moncrief, we are so glad you have been appointed and I am so glad that you are from the Ninth Council District of the City of Pittsburgh.

Mr. Moncrief:

Thank you.

Michelle Madoff:

If you would like to move to the second, you are welcome.

Mr. Moncrief:

Thank you.

The Chair:

Thank you, Mr. Moncrief. Marion Monheim?

Michelle Madoff:

Miss Monheim, your credentials are almost unbelievable, they are phenomenal, and I thank you for doing a summary for us. You could write a book on what you have done.

If memory serves me well, and we have known each other a long time, you have been involved directly in promulgating ethics legislation and have very strong feelings about that; would that be a correct assumption?

Ms. Monheim:

Yes. I have written several codes of conduct around that.

Michelle Madoff:

You wrote them for the state of Pennsylvania?

Ms. Monheim:

For the Department of Public Welfare and in part for the Public Utilities Commission.

Michelle Madoff:

So your interaction on ethics legislation is not new to you; you have some experience in that area?

Ms. Monheim:

Yes, I do.

Michelle Madoff:

An extensive amount of experience?

Ms. Monheim:

Yes, particularly at the administrative level, where I was responsible for coordinating investigations of malfeasance at the Department of Public Welfare.

Michelle Madoff:

I take it you have read the legislation that has been drafted?

Ms. Monheim:

Yes, I have.

Michelle Madoff:

Would it also be correct to say that you have read the many drafts over the years as we try in vain to get some code of ethics written for this Council?

Ms. Monheim:

I have read quite a few.

Michelle Madoff:

Perhaps even made a few recommendations?

Ms. Monheim:

Yes, I have.

Michelle Madoff:

You understand, I call myself the historian on Council. You have some background on how we got to this point on Council to have an ethics bill, and we are finally going to start to move ahead with it, and I think you would make an outstanding contribution. Of course, you know you will have my support all the way.

Ms. Monheim:

Thank you.

Mr. Cohen:

Thank you, Mr. Chairman. I want to congratulate you on being nominated, Miss Monheim. I wanted to take a moment to say that you were helpful to me in having this ethics bill enacted at all. You expressed an interest early on and reviewed the earlier drafts of the bill and made some very important comments, so I think it is perfectly appropriate that you sit on the Ethics Commission. I know your background, I think that you are somebody who will be a real asset to that commission.

Let me ask you, though, questions about your independence for a moment. Do you hold or plan to run for any public office?

Ms. Monheim:

Absolutely not.

Mr. Cohen:

Farthest thing from your mind; right?

Ms. Monheim:

Yes.

Mr. Cohen:

Do you hold office in any political party or committee?

Mr. Sklar:

As I read the bill, definitely not in a political party, and I have never been politically active. But I do serve on a steering committee recently formed in just the past month, non-partisan, but it could have political implications, not in any way that I could influence anyone, but it would be my intention to resign from that, because there could be a possible misguided appearance of that, and I would resign from it because of that.

Mr. Cohen:

Well, if your decision is to resign, then we don't need to discussion it any further, I don't think. But if you want to, we can discuss it and decide whether or not that would violate the Act.

Ms. Monheim:

The only reason I haven't resigned already is that I have not been confirmed.

Mr. Cohen:

But your plan is to do that?

Ms Monheim:

Yes.

Mr. Cohen:

Do you currently hold a position of employment or appointment with the Commonwealth of Pennsylvania or any board or commission formed by the City of Pittsburgh?

Ms. Monheim:

No, I don't.

Mr. Cohen:

I know that you have read the Act, so I won't ask you that

question, but let me ask you whether in its final form -- because it did go through many different permutations -- but in its final form do you feel that the violations described in the Act are ethical violations and do you feel that you could fairly enforce the Act?

Ms. Monheim:

Yes, I do.

Mr. Cohen:

Do you have the time to do this?

Ms. Monheim:

Yes.

Mr. Cohen:

I want to congratulate you on your nomination, and as I say, I think you will really serve the Ethics Commission in the City of Pittsburgh well.

Ms. Monheim:

Thank you very much.

The Chair:

More questions?

Mr. Regan:

Congratulations.

The Chair:

Thank you. Michael J. Lynch, please.

Mr. Cohen:

Thank you, Mr. Chairman. Mike, you may not be surprised to hear the questions that I have for you, since I sound like a broken record here, I realize.

I do want to say from the outset that I know you very well; you're a close friend, and I know you to be a bright and thoughtful person who is concerned about public service and who

has a strong sense of value. So I want to say that at the outset I think that you would do a great job on this Commission.

But I do want, just for the record, to make sure that you are independent of politics, so let me ask you some of the questions that I have asked the others.

Do you hold any public office or plan to run for public office?

Mr. Lynch:

No, I do not.

Mr. Cohen:

Do you hold office in any political party or committee?

Mr. Lynch:

No.

Mr. Cohen:

Do you have any position of employment or appointment with the state or any board or commission of the city?

Mr. Lynch:

I do not.

Mr. Cohen:

Have you had an opportunity to read the Ethics Act?

Mr. Lynch:

I have.

Mr. Cohen:

Do you find that the violations described there are ethical violations and do you feel that they are provisions that you could enforce?

Mr. Lynch:

Very much so.

Mr. Cohen:

Lastly, a question about time. What I said to the others was that although I don't think you will be meeting on a regular basis, but if a controversial issue comes up, it probably means that you have to devote a great deal of time to it. Do you have time to do that?

Mr. Lynch:

I think it is important enough that time should be made and I would.

Mr. Cohen:

Again, I am really happy that you have been nominated and that you are going to serve on this Commission. I think that you will do a great service to the city.

Mr. Lynch:

Thank you.

Michelle Madoff:

Mr. Lynch, you are an attorney?

Mr. Lynch:

Yes, I am.

Michelle Madoff:

Are you familiar, if you are breathing and alive in this city, you have to have some concept of what has been happening as perceived by many of us as being unethical within the city framework. You're familiar with the fact that there is a State Ethics Commission?

Mr. Lynch:

I am.

Michelle Madoff:

You're familiar with the fact that we have not had rulings on a number of major ethics issues that need to be resolved?

Mr. Lynch:

That is my understanding.

Michelle Madoff:

Are you prepared to try to resolve and in some way have a working relationship with the State Ethics Commission, so that we can bring about not just a lot of rhetoric or accusations, because even people that are accused may be innocent and we have an obligation to see those people are, indeed, cleared. But in the cases of people whom I personally believe to be very guilty, we also need to have that finally come out. There needs to be some effort expended in that direction. Do you feel that way?

Mr. Lynch:

I do, and that is why I am here.

The Chair:

More questions?

Mr. Regan:

Congratulations.

The Chair:

Thank you, Mr. Lynch. Tom Solomich.

Mr. Cohen:

Thank you, Mr. Chairman. Good morning. How are you today?

Mr. Solomich:

Very well, Mr. Cohen, members of Council.

Mr. Cohen:

Congratulations on your nomination. I want to ask you some of the questions I have asked the prior appointees.

Mr. Solomich, do you hold or plan to run for any public office?

Mr. Solomich:

No, I do not.

Mr. Cohen:

Do you hold office in any political party or political committee?

Mr. Solomich:

I do hold, I am the treasurer of my firm's political action committee. I don't know if that is a political committee, there is no real definition in the ordinance. If need be, I can resign from that.

Mr. Cohen:

I do see that as a potential problem, I think. I don't know if my colleagues would agree or not. But again, this is just the appearance, obviously we are not talking about a conflict.

Mr. Solomich:

I will resign.

Mr. Cohen:

Do you hold a position of employment or appointment with the Commonwealth or any board or commission on the City of Pittsburgh?

Mr. Solomich:

No, I do not.

Mr. Cohen:

I have certainly read your resume and I know your involvement in so many community affairs. I think that you will do an excellent job on the commission. Thank you for serving.

People may not realize, but those people are serving without any pay and are doing it solely because they believe in public service, in this case on the Ethics Commission. So I thank you for doing that.

Have you had a chance to read the Ethics Act?

Mr. Solomich:

Yes, I have.

Mr. Cohen:

You have read through the violations described there. Do you see them as ethical violations and can you aggressively and fairly enforce them?

Mr. Solomich:

I do see them as ethical violations and I wouldn't accept this position if I wasn't going to enforce the ordinance.

Mr. Cohen:

Do you feel that you will be able to devote the time to this when the time arises? Hopefully it will never arise, but if it arises and there is a controversial issue there, will you be able to devote the time to it?

Mr. Solomich:

Yes, I will.

Mr. Cohen:

Thank you. I appreciate you serving on the commission.

Mr. Solomich:

Thank you.

Michelle Madoff:

Mr. Solomich, unlike my colleague, when he says he hopes it never arises, it has arisen and it is running rife and we need to address it in various areas of the city. I don't want to be specific; I think people know from whence I come.

I would like to see people being pro-active, not reactive. There is a volume of material in my office that I will be delighted to turn over to whomever is going to be Chair or working in the arena, documentation that you can look at yourself and start to decide how you are going to handle it. I think there is also the appearance of impropriety that needs to be addressed, also things that are within the framework of the law, not illegal, they are just immoral, and they are, I

believe, covered in this bill so we don't even have the appearance of impropriety. If it isn't in there very clearly, it needs to be amended and recommendations need to come back to this Council to change them.

I have one concern. One of the positives is you're a member of the environmental law section, and you know that that is an interest of mine. On the other hand, you're with the National Association of Bond Lawyers.

Mr. Solomich:

I am a member of that, also.

Michelle Madoff:

Do you work on bond issues for the city?

Mr. Solomich:

I have never worked on a bond issue for the city.

Michelle Madoff:

Would you still not work on a bond issue for the city?

Mr. Solomich:

I will not work on a bond issue for the city.

Michelle Madoff:

Would you work on an Authority issue where the city is part owners or part involved in a bond issue?

Mr. Solomich:

I never have in the past and I don't see that I am going to.

Michelle Madoff:

You understand my concern, and you understand the bond game business?

Mr. Solomich:

I understand.

Michelle Madoff:

Talk about ethics. I would like very much to share with whomever becomes president of the Ethics Commission, as I say, a stack of material, and I would like to get some feedback to this Council with a very short order as to whether we can get things moving and it should not be an appointment that we don't know when we are going to meet until a crisis arrives. The crisis is now.

Mr. Solomich:

There are other duties on the ethics hearing board rather than just having hearings. There are a lot of "thou shalls" in the ordinance with regard to education and prepare or cause to be prepared some informational booklets to be distributed to city employees. So it is not just you sit back and wait for something to happen.

Michelle Madoff:

One other thing. Are you familiar that the Bar Association, the State Ethics Code waives the ethics rules for lawyers on the basis that they have their own rules and they have no jurisdiction, the State Bar Association has no jurisdiction over private attorneys?

Mr. Solomich:

State Ethics Commission hasn't, the Supreme Court of Pennsylvania has jurisdiction.

Michelle Madoff:

Therefore, we run into situations where a major head, an elect official said, "I am a lawyer, I don't have to obey the laws. I did what I did because it is not illegal." It is unbelievably immoral. You can't be fish and foul; you have to decide whether you are going to be the person that audits the books or the person making the money.

There is one example we could start working on right away, because that person also interacts on authorities where the city has ownership and money invested, and the State Code says that any time there are funds funneled from city monies, we have the authority to review it. So it is broader than this cut and dried, subject to interpretation of someone who says, "I want to see things run ethically."

I will be happy at any point once we get this going to meet

with people and brief them of some of the problems.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the appointments?

And on the question, "Shall the appointments pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the appointments were approved.

Michelle Madoff:

I have been requesting information on the day of forgiveness on the Water - \$12 million outstanding in water bills of which I have been informed that at least \$7 million would come in. There have been all kinds of messages back to me that say, "Gee, I don't think we can do it legally but maybe we need to look at some other approach" etc., etc.

I think that it is time to call for a public hearing in this Council so that the people who pay their water bills can find out why people who aren't paying their water bills haven't paid and I think this might expedite some answers from the Administration and I would ask the President to please set a public hearing.

The Chair:

There is a motion on the floor to set a public hearing in regard to the Water bills. Is there a second to that motion?

Mr. Ferlo:

Clarification. Are we talking about a report from the Administration on the uncollectibles?

Michelle Madoff:

Yes. There's money that has never been collected. People just never believe they had to pay their water bill. And while they are making some strides in collecting, actually most of it isn't collecting, most of it has been written off. I think it's time that we took a look at not picking on the people who have been singled out but looking at the every day persons who have not --why this money hasn't been collected. I think we need to address that. And if this Council doesn't vote for it, remember, the eyes of Pittsburgh are upon us and if you don't want to find out why we haven't gotten this money or what is being done to collect the money, I think we'll have a major problem when we get to budget time. Or any other job you might be going to.

The Chair:

There is a motion on the floor for a public hearing in regard to the outstanding water bills. Is there a second to that motion? It must have five votes to have a public hearing.

Michelle Madoff:

It looks like we don't want to find anything out.

The Chair:

Is there a second to that motion?

The motion dies due to the lack of a second.

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 3107

Report of the Committee on Finance for September 4, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3076

A Resolution entitled, "Resolution transferring the amount of Two Thousand Five Hundred (\$2,500.00) Dollars from Code Account 1632, Supplies, Index Code 163204, to Code Account 1631, Miscellaneous Services, Index Code 163105, and the amount of One Thousand Five Hundred (\$1,500.00) Dollars from Code Account 1632, Supplies, Index Code 163204 to Code Account 1635, Equipment, Index Code 163501, all accounts within the Department of Public Works, Painting Division."

Which was read.

Also,

Bill No. 3077

A Resolution entitled, "Resolution transferring the amount of Fifty Thousand (\$50,000.00) Dollars from Code Account 1612-1, Repairs,

Index Code 161216, to Code Account 1610, Miscellaneous Services, Index Code 16100, both accounts within the Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3078

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Albert Petrarca, 5703 E. Liberty Boulevard, Pittsburgh, PA 15206 in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Jim Ferlo."—(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 3108

Report of the Committee on Planning, Housing and Development for September 4, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2907

A Resolution entitled, "Resolution approving the recommendation of the Historic Review Commission to expand the Schenley Farms Historic District to include all that property located at 4423 Bigelow Boulevard designated as Block and Lot Number 27-L-212 and located in the Fourth Ward, City of Pittsburgh, commonly referred to as the site of the Syria Mosque." (AS

AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

Mr. President, in relation to Bill 2907 which is the recommendation to have the site of the Syria Mosque designated as part of the Historic Schenley Farms District, I'd like to make a motion to refer it to the Historic Review Commission as well as the Planning Commission for a report and recommendation.

Mr. Darkins seconded the motion.

Michelle Madoff:

Discussion. I had requested a schematic or some kind of drawing of what we anticipated, sort of an in general concept of what the property would be like so that that property would not be an offense and would be in keeping with the other buildings that are there. I think that's terribly important and I agree with my colleagues and with the people who were here testifying that they want to maintain the integrity of the community.

As a matter of fact, I promised them that if they give me a list of every historic building, I would double check. And I think we did get a list in our office, the 20th Century Building, the PAA, etc., to make sure that they are already designated as historic and I told them I'd speak to Mr. Ferlo to see if he would help me sponsor that, and I would take for granted that he might, to make sure that the other buildings don't become issues.

Many of them may already be designated, but we want to check to see that this is indeed fact.

Now, what I have seen in a preliminary drawing, and it is an artist rendering so it is not

what you would call "the building", it is not a glass curtain. It has one of the sphinx in a courtyard, a little garden courtyard. The building is not just a sheet of glass.

I understand from my colleague, Mr. Ferlo, that he has not been privileged to that, that he has spoken to, and he can speak for himself, but he mentioned to me that he has spoken to the President of the school and hasn't even designated what the building would be used for.

I think there has to be some constraint on what happens with that building and I have been promised by the people who were here representing the developers that indeed they would work and include several of the people who are the leadership of the Schenley Heights Community and other groups in Oakland to be part of the development of what is designed. I think that's terribly important that we include them and include representatives of this Council.

But until that happens, there is not way I can vote to just let the thing ride. As Mr. Ferlo explained, we will have another chance to vote before this Council when the recommendation comes back, so I would suggest those who have an interest in not tying it into Schenley Park as part of the designated historic designation, that they come back with something that is meaningful for this Council. They still have another shot.

I would like to point one last thing out for my colleagues who may not have been here. I think I'm the only one left of the old guard. The Schenley Heights people came to this Council and objected to having a senior citizens' group home. What is a senior citizens' group home? It's a bunch of people who live in the area, who are just a little older, who want to live with dignity, maybe they don't drive anymore, they're not disruptive, and they really killed that vote. I think they have a hell of a lot of nerve coming to this

Council and to me and saying, "Now protect us; we don't want to have this unsightly building." I just want to go on record with that.

The Chair:

In regard to the referral back to the Planning Commission, the Historical Review Commission, all Council has received a legal opinion from our Solicitor, Mary Conturo, and she has indicated that we cannot vote on this legislation. It must go back and it must have that review process.

So, I think that actually should have occurred last week but it is occurring today and, in fact, that is what we're voting on, simply referring it back for it to go through the entire process again, which the Solicitor has concurred is the right thing to do.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 5 NOES 1

(MR. COYNE VOTING NO)

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill was recommitted.

Also,

Bill No. 2766

A Resolution entitled, "Resolution amending Resolution No. 464, effective June 24, 1988, entitled 'Amending Resolution No. 1439 of 1981, as amended by Resolution Nos. 402 and 1144 of 1982; by Resolution No. 933 of 1983; by Resolution Nos. 102 and 285 of 1986; by Resolution No. 1030 of 1987 and by Resolution No. 219 of 1988 entitled 'Approving the submission and budget for the 1981 Community Development Block Grant Program', by changing line items in the Department of Engineering and Construction and adding a line item in the Department of City Planning."

Which was read.

Also,

Bill No. 2767

A Resolution entitled, "Resolution amending Resolution No. 1180, effective November 2, 1990 entitled 'Resolution amending Section 10 of Resolution No. 301, effective April 24, 1984, as amended by resolution No. 728, effective August 21, 1984; and by Resolution No. 284, effective March 30, 1987, and by Resolution No. 548 of 1989 and Resolution No. 136 of 1990, entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Redevelopment for a grant in connection with the 1984 Community Development Block Grant Program,' so as to reprogram funds from City Council to the Department of City Planning."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2770

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill Community Development Corporation for the provision of services in connection with the Hill District Employment Linkage - Implementation, at a cost not to exceed \$150,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Michelle Madoff
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Mr. Darkins
Mr. Ferlo

Mr. Regan
Mr. Wagner
(Pres't)

AYES 6

NOES 1

(MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2943

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services including design and production of maps and technical information and other services related to the City's Bikeway Program."

Which was read.

The Chair:

Councilwoman Madoff, did you have a concern about Bill No. 2943 and the Bikeway Program?

Michelle Madoff:

Yes. And Bill No. 2933 in Engineering and Construction.

The Chair:

They're companion bills.

Michelle Madoff:

My Administrative Assistant, Bill Urbanic, pointed out to me because we had done some clean-up and had been working around the area talking with bikers, that we were promised

that the South Side, I wish Mr. Ricciardi were here, would get some bikeways.

It turns out that what they're saying is that although there are some routes specifically designated for bicycle routes, they may not have special signaling or roadway improvements for bicycles at this time.

What they're saying is, people have bicycled on McArdle Roadway. Whoopee. Therefore, we're going to consider it a bicycle way. And I very strongly suggest that until we get the South Side included and other areas, that we resubmit this bill.

The Chair:

Planning has not provided all of us with maps of this, to my knowledge.

Michelle Madoff:

We didn't get it either. I think my aide haunted them.

Mr. Coyne:

We got one yesterday.

Michelle Madoff:

Well nobody has had time to look at it. Could we please hold it? The point is, we don't have information and let's not vote in a vacuum. And when they say we have bicycle routes that are not bicycle routes, we need to know that.

It's a very big issue with a lot of people, it's going to bring us a lot of money, and they bicycle route issues next year —

Mr. Ferlo:

Motion to recommit the bill.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

And that would be the companion bill as well. Bill 2933.

Mr. Cohen presented

Bill No. 3109

Report of the Committee on Engineering and Construction for September 4, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2898

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, for architectural/engineering services in connection with the design of a new moving walkway from the Zoo Parking Lot to the Main Entrance; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2900

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996

Capital Improvement Program,' by providing 1991 funding for EC 91-98, Zoo Master Plan Implementation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2933

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program,' by transferring EC 90-490, Bike Route from the Department of Engineering and Construction to CP 90-490 Bike Route, Department of City Planning."

Which was read.

Michelle Madoff moved to recommit Bill No. 2933.

Mr. Ferlo seconded the motion.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

This is, as I understand, September 10th. We are not very far from budget hearings. I'd like to point out a little research, an issue, that came across my desk that my Aide, Sarah Meeks picked up on.

The approved travel requests through August 20, 1991 already totaled \$203,306 and they have gone up \$10,000 in the last month. The projected figure will be \$305,000 by the end of the year.

So, we have \$305,000 in travel expenses. We have \$12 million sitting in the Water Department, of which \$7 million is probably collectable in some form, and something has to be done to change the process. I have arranged with an expert to review the lease back agreement to see how we can change that so that even if the money came in it didn't go to pay off the debt and the City would get some of those dollars because the basis of the lease agreement with the Water and Sewer Authority was not based on receiving all that money.

I think there was a misunderstanding. I'm not trying to hurt anybody. I'm merely saying that we need some mechanism for discussing what changes can be made by getting Jim Roddy here who was the architect, was President of Water

and Sewer Authority at the time, who believes that a day of forgiveness would bring us the money. I have talked to Bob Wilburn who agrees. I think that we need to get Jim Turner who does our finances and others at a meeting with this Council to understand what we can do in reality.

If you don't want to do a public hearing at the moment and you want to have a post agenda as a first step, I don't have a problem with that. And I would make that as an alternative suggestion, that we meet immediately in a post agenda here in Council with Jim Turner, Bob Wilburn, ask Jim Roddy whether he would be here, ask Mr. Turner to bring whoever he thinks is appropriate, certainly Dawn Botsford, maybe a representative of the Water Department from this Council, to see what we can do to create a mechanism that would expedite the bringing in of the \$12 million.

I'll tell you, when we get to budget hearings, the public is going to go through the roof in light of the fact, if you read this morning's editorial, what we're doing is wonderful, attacking crime at its source which is the drugs. But we may end up having depleted the police force in other areas and have some real problems. We're going to have a shortage of tax dollars. We're going to have to raise money, or we're going to have a problem with services.

The Administration says that we are short of dollars. We're going to run the City on a shoestring. We have some concerns.

I would ask respectfully that we have a post agenda bringing those people here as soon as possible. I make that in the form of a motion on finding out what we can do to revamp the water situation.

Mr. Ferlo:

I'll second it. It doesn't need a motion but I'll be glad to second it.

The Chair:

A motion is not necessary for a post agenda.

Michelle Madoff:

But I think it's important that it not be just Michelle Madoff saying you want to find out but my colleagues are interested in the same issues and I think it's just a show of support.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Mr. President, just in relation to the whole budget proceedings which we will hopefully initiate following the Mayor's Budget Address on the Operating Budget on November 12th.

I had met with Dr. Milliones and made the suggestion and I just want to throw it out once again and that is, for the last several years that I have been on Council, we have been rushed through the whole budget deliberations. Unfortunately, we only have an initial session with the Department Director and we try to cram in a lot of dialogue and debate. And I think given the activism of this Council as it relates to their respective Council districts, I would suggest and I would urge consideration of hearings to take place during late October or the second half of October in relation to the CDBG allocations and possibly the Grants and Donations as a way of dispensing with that public hearing process as opposed to bogging us down during the month of November and December.

I'd like to make that as a formal

suggestion publicly to the Finance Chairman, Dr. Milliones, yourself and my other colleagues. The purpose is, hopefully, maybe to have two go arounds with Directors where initially there might be a lot of dialogue and questioning about what will or won't happen respective to our districts be it in Public Works or Parks, and then possibly even have a second go around where the Director would come back and give us a response so we can actually have a greater input.

So, I'm more concerned about that part of the budget deliberations than I am the countless hours of the Grants and Donations process which is procedural at best.

Michelle Madoff:

I agree with my colleague completely and I do want to congratulate Dr. Milliones because, for the first time, we had -- Well, last year we indeed did not waste a lot of time, his being the Grand Potentate and what we did was get down to the gut issues and it saved a lot of energy and time. I remember years past where even the reporters go to the point and said, "We don't even care about the budget; we're just so depleted. Who cares?" And I think by taking it in a more condensed, direct form we accomplish a lot more.

But I do agree with my colleague, Mr. Ferlo, that we do need to start earlier in the process. We need to do something before that, though. We need, even though we're going to have the budget submitted to us by the Administration, we need to sit down with the Administration in dialogue, either in the Mayor's Conference Room or right here in Council, and ask the questions that should be answered that I have asked for years and years and years. What is it that we're going to have to cut this year? What are the things that we're going to have to do?

Mr. Milliones:

Those meetings will occur. Mr. Turner has indicated that he wanted to brief Council.

Michelle Madoff:

Well I don't want to be briefed privately. I think this is the kind of thing that we should have in a public, open briefing as to what is going to happen. And very specifically, what are the areas that he feels we're going to have to cut, what can we maintain, so that the public knows what we're going to be looking forward to and we can then set our priorities.

Mr. Ferlo:

The second part of my concern, and I guess what Dr. Milliones made a reference to, is, you know, so far the Administration has been speaking through the editorialists and the local editions of the Press and the Post Gazette as it relates to the budgetary status of our City. We were led to believe that we had more than ample resources this year and we had budgeted accordingly. I have yet to receive, and maybe other Councilmembers have this information, I have yet to receive one iota of written information regarding our actual budget situation. It's been alluded to through the editorialists that there's a \$35 million shortfall and, indeed, I believe there are some rumblings within the Administration that various cuts will take place as early, possibly, as next week. In other words, even within this budget year that Council approved given the indications from the Administration themselves on what our income would be relative to various code accounts.

So, I would like to see a meeting and/or some written information regarding what actions the Administration is taking in the coming days, if not in the next couple of weeks, on this so-called financial crisis.

My first reaction, because I have been through this three times now with Turner, every time when they start negotiating with the Police and Fire during the June, July months, we hear about this budgetary crisis and then he comes out during the budget proceedings looking like the White Knight, he saved the day. In fact, we now even have more than enough money and we can have a tax decrease. So, to me, he's not a credible person, as far as I'm concerned, to let me know at least, as an elected official, what actually is our financial situation.

So, I would like to know, where are we at. And prior to the closing of the motor pool, eliminating whatever it is they're going to eliminate, I'd like to have a better sense of where we're at.

The Chair:

Councilman Milliones and myself have discussed this and we also agree that Council needs a briefing real soon about the status of the financial situation in 1991 and the proposal for 1992.

I think Council should be the first group of people that hear any piece of information in regard to the budget, and obviously that has not occurred in any formal or informal sense, and I think it should.

Mr. Ferlo:

Well I hope they'll communicate a little better to us on this issue than they have on the proposed Clemente Ballpark.

The Chair:

I'd like to ask in regard to information, has Council, Mr. Perry, or maybe all of you, received any official notification of Mr. Sciulli being

assigned as the Temporary Director of Public Works?

Mr. Perry:

No, sir.

Mr. Ferlo:

We have to get our information from the Post Gazette, Mr. Chairman.

The Chair:

Again, I would respectfully request that from the Mayor's Office, through the Clerk's Office, that any important decisions in the hierarchy of management or changes that are made, that this body be informed first about those changes.

I, personally, and I think all of you, had to find it out through the newspapers again. That's not the way government should work.

Mr. Ferlo:

Is there anybody in charge over there, Mr. President?

The Chair:

I'd like to bring up one item. This morning I received a letter from Mr. Joseph King, the President of Local No. 1 of the Pittsburgh Firefighters, in regard to the Fire Bureau study. He is indicating here that they want a copy of the study.

First off, I want to indicate that I don't have a copy of the study and I know this Council has requested several times from the Administration also what the status of this study is.

Again, I would like Mr. Perry, in the form of a formal communication, to do that.

He indicates in his letter to me, I don't know if everyone received a copy, that they are in negotiations with Mr. Bernie Schneider. Mr. Schneider has indicated that there is a study. Quite frankly, I didn't know that Mr. Schneider was even employed any longer by the City of Pittsburgh.

But the issue of the Firefighter Study, I know we have discussed it in a repetitive sense here in Council, and we simply want an answer, nothing more than that, of the status of this study. I believe it should be made available to Council and to the public.

Michelle Madoff:

Before the budget process.

The Chair:

Yes.

Mr. Ferlo:

Mr. Chairman, I hate to belabor this issue of the Fire Study but we have asked on nine separate occasions that I can recall, even since January when they actually contracted with Ernst and Young for information relative to this study. I mean, I respect what you just said, but it's going to be another empty gesture. We have the power under the Home Rule Charter to request the Mayor to appear before Council on a specific issue. I mean, it's one thing for others to denigrate us but it's another thing for we ourselves to denigrate ourselves. This is absolutely ridiculous.

The Chair:

This is the last time we'll request it and,

Mr. Perry, please make sure that that letter is hand-carried to them today in regard to that. We're wasting too much government time trying to find out the status of a report.

Mr. Ferlo:

Mr. President, I respect what you just said and I'll wait. But I'm just saying that at some point I think we must, pursuant to the Charter, require the attendance of the Mayor in these Chambers to discuss this issue and receive the document we have requested.

The Chair:

Hopefully it won't come to that.

Mr. Milliones moved to approve the Minutes of Tuesday, September 3, 1991.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Milliones moved to excuse Mr. Cohen and Mr. Ricciardi for absence from the meeting.

Mr. Darkins seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

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No. 36

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, September 17, 1991

PRESENT:

MR. COHEN	MICHELLE MADOFF
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT:

MR. MILLIONES

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

Mr. President and my colleagues on Council, we're going to ask that Mr. Kenneth E. Elliott and Mr. Murphy J. Kelly III, come forward.

Mr. Darkins presents

No. 3136 WHEREAS, St. Cyprian Consistory #4 of the Prince Hall Free and Accepted Masons will host it's Third Annual Emancipation Day Oratorical Contest on September 22, 1991; and

WHEREAS, St. Cyprian Consistory #4 is a Fraternal Order of 32nd and 33rd degree Masons; and

WHEREAS, St. Cyprian Consistory #4 has contributed greatly to the community at large by supporting projects and organizations such as the United Negro College Fund, the African Heritage Room at the University of Pittsburgh, the Lemington Home For The Aged, the Sickel Cell Society and the Allegheny Valley School for Exceptional Children; and

WHEREAS, St. Cyprian Consistory #4 Emancipation Day Oratorical Contest has propelled many young people toward prominence and educational excellence and has acted as a platform in the development of future leaders.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the St. Cyprian Consistory #4 Fraternal Order of the Prince Hall Free and Accepted Masons for its outstanding contribution to its community and the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have today accepting this resolution Mr. Kenneth Elliott and also Mr. Murphy Kelly and they have something to say.

Mr. Elliott:

Thank you. As Commander-in-Chief of St. Cyprian Consistory of the Ancient and Accepted Scottish Rite of Free Masonry Prince Hall Affiliation Northern Jurisdiction, I am very pleased and grateful to accept this resolution from your body as a sincere effort or expression for those of you for this organization who is attempting to demonstrate free freedom to all people.

At this time I would like for my coordinator of this upcoming Emancipation Program to just give you a brief highlight of the events that we have planned at the Carnegie Museum in Homewood this Sunday.

Mr. Kelly:

To President Wagner, Mayor Sophie Masloff, and the distinguished members of her administrative body, and more especially to Councilman Darkins, it is with pleasure that I,

along with Mr. Elliott, accept this resolution on behalf of St. Cyprian Consistory #4. It is through your efforts that we as members of the community are able to cause a program of this nature to become more recognized throughout the City of Pittsburgh and eventually it being recognized as being significant.

So, with this in mind, I would simply say that I accept this resolution with heartfelt thanks and sincere gratitude.

To give you more detail on the upcoming events, it will take place as has been forementioned on the 22nd of September at the Carnegie Library in Homewood. We are planning a program consisting of five local students from the Greater Pittsburgh area and also the surrounding areas to give orations on past and present Black leaders.

Also appearing on the program will be guest speaker Ms. Arnetta Wally Stagger who is an Afro-American history instructor at John H. Linton Junior High in the Penn Hills School District.

We will be entertained in songs of praises by the Gospel Sounds of Joy who are a group from the St. James AME Church in East Liberty.

So, as you can recognize, we have a wonderful program planned for those who will be in participation. The various students' orations will include Dr. Daniel Hill Williams, Harriett Tubman, Thurgood Marshall, Clarence Thomas, and Winnie Mandela.

So, with this I'll close and thanks again to each of you.

Mr. Darkins presents

No. 3137 WHEREAS, Brushton United Methodist Church is celebrating its 100th

anniversary from September 8 through September 15, 1991; and

WHEREAS, Brushton United Methodist Church began with 48 men, women and children on June 14, 1891 and has grown to over 150 active saints; and

WHEREAS, Brushton United Methodist Church is a place of loving kindness and a church comprised of caring and generous Christians; and

WHEREAS, the people of the Homewood Brushton community have greatly benefited from the strength, organization and vision of Brushton United Methodist Church; and

WHEREAS, Reverend W.B. Meekins who is the current Pastor has shown a clear example of Christ-like character and dedication; and

WHEREAS, Brushton United Methodist Church is most worthy of recognition and honor.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Brushton United Methodist Church on the event of its 100th Anniversary; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Friday, September 15, 1991 as "Brushton United Methodist Church Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo presents

No. 3138 WHEREAS, the Republican Club is an organization that promotes the social interests of its members; and

WHEREAS, the Republican Club, through its athletic programs, serves the youth of Lawrenceville and the Strip District; and

WHEREAS, the Republican Club sponsors annual family activities for the Sixth Ward community; and

WHEREAS, the Republican Club earns a substantial portion of their operating budget through various licensed games.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the Republican Club a civic organization within the context of the Pennsylvania Small Games of Chance legislation.

Mr. Ferlo moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Welcome back, Gene. He finally went on his honeymoon. A 30-day honeymoon, I'll tell you.

May I please have Joyce Herron who is hiding in the back to please come forward?

I'm very honored today to give a resolution that was precipitated under the auspices of Joyce Herron. Joyce lives in the Mount Washington-Duquesne Heights area and she calls her group "The Other Side" because

they always forget that community.

But, Joyce, not to be undaunted, doesn't take no for an answer and does what has to be done. And under her urging, the following resolution is in order.

Michelle Madoff and Mr. Ricciardi present

No. 3139 WHEREAS, at 6:00 p.m. on August 6, 1991, National Night Out, the DITCHKIDS started a campaign to improve community relationships between younger and older citizens; and

WHEREAS, armed with brooms, dustpans, garbage bags, pop and pizza, Robin Anderson, Tina Anderson, Kelly Benhardt, Todd Duettner, Crystal Egenlauf, Bonnie Evans, Terri Evans, B.J. Herron, Jim Herron, Jon Herron, Lee Lahey, Dan O'Leary, Joe Pawarski, Scott Rogowicz, Becky Vensel and Patti Walker cleaned the South Hills High School ballfield and surrounding areas of broken glass, weeds and debris; and

WHEREAS, one hundred invitations were distributed throughout the Mount Washington-Duquesne Heights neighborhood, inviting other DITCHKIDS - those from two to one hundred and two who believe it takes all races, sexes and ages working together to make up a good community; and

WHEREAS, the DITCHKIDS are planning a flea market September 28th at the ballfield to raise money for sports equipment, are committed to involvement with the Prospect School and Community Haunted House and hope to plan an event each month; and

WHEREAS, the DITCHKIDS are currently trying to establish the South Hills High School area as a drug-free, alcohol-free KIDZONE and in the future hope to use the

facility as a community recreation center.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the DITCHKIDS for their energy, commitment and accomplishments and wish them every success in the realization of their dreams and goals.

Michelle Madoff moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

Before I turn the mike over to both Joyce and her designated speaker and anyone else who wishes to speak, you know, all communities have community groups. And some are there because they're chosen to go to vote at election time. That's why they're there. Or they hope to get a job.

Joyce Herron and her crew get nothing accept cleaning up the community. And if every community had representation in their community groups like DITCHKIDS, this would be a much better world.

Ms. Vensel:

Hi, I'm Rebecca Vensel and I'm the Assistant DITCHKID Director. We're just trying to clean up the neighborhood and I'd like to thank City Council for doing this for us, and Mayor Masloff and Michelle Madoff and anybody else that would help us and is listening to us right now.

I'd like to tell you how we got the name DITCHKIDS. First of all, there's an area around South Hills High School that is called The Ditches, and they have a bad reputation and we're just trying to clean them up.

Plus, we're also called the DITCHKIDS because we try to ditch the cops because they view our behavior as unacceptable towards the community. Meanwhile, we're just trying to clean it up.

We have a lot of activities in store. We're in the Mount Washington Tribute, if you want to check us out if you live in Mount Washington.

I don't actually know what else to say. I'm just winging it.

But these are some of the DITCHKIDS and just about each of us are planning new activities to do each month so people will recognize who we are. We're holding a flea market this September 28th. It's open to anybody who wants to come. In November we're having a food drive and all the food is going to the food bank at St. Justins. In October we're having a haunted house with Prospect Middle School. And probably in December we'll do something. We'll probably sell hot chocolate up on Grandview Avenue.

That's about all I can say right now. Thank you.

Ms. Herron:

Hi, I'm Joyce Herron. I live across the street from South Hills High School. Kids have always hung out over there with nothing to do. Mount Washington just doesn't seem to have the facilities available for recreation programs.

I guess because of living there, the kids and I have gotten a good rapport going between us. I see a lot of talent and the purpose of this is to teach the kids, through planning an event of their own, the things that they want to do, the leadership responsibilities from the planning through the finish.

I'd like to thank all of you for your support and your cooperation and all our projects. I'm sure you'll hear from us again. Thank you.

Mr. Regan presents

No. 3140 WHEREAS, Jim O'Brien, author of "Doing It Right", the story of the Pittsburgh Steelers, before, during and after the great Super Bowl years, has shown a tremendous amount of patience and a strong desire to have his book published in this great City of Pittsburgh; and

WHEREAS, O'Brien, a native Pittsburgher, (Hazelwood) edited other Pittsburgh-based projects such as "Pittsburgh: The Story of the City of Champions" and "Hail To Pitt: A Sports History of the University of Pittsburgh"; and

WHEREAS, after graduating from the University of Pittsburgh in 1963, O'Brien worked at the Pittsburgh Weekly Sports, and then went on to serve in the United States Army; and

WHEREAS, O'Brien wrote sports for the Pittsburgh Press covering the Pittsburgh Steelers and then went on to serve as the Assistant Athletic Director and Sports Information Director at the University of Pittsburgh for four years before serving as Director of Pitt's Outreach Program for one year; and

WHEREAS, O'Brien has teamed up with Marty Wolfson, a Pittsburgh artist and graphic designer, who helped lay out the 544-page book, which contains 224 photos and is being printed in Pittsburgh as well.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor Jim O'Brien for his outstanding efforts in keeping Pittsburgh's sports

tradition alive in the hearts of all. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

This gentleman is Pittsburgh all the way. He's from Hazelwood originally and he's now the Editor of Street and Smith Magazine which is the foremost sports book in the United States. I just think that it was a nice tribute for one of ours. It's a goodwill ambassador for the City of Pittsburgh around the country because he's always one that brags from Hazelwood all the way to the Capitol about Pittsburgh and I just wanted to pay tribute.

He had to teach school and he said he always told his students that class comes first. And he said that if he missed class to get an award, what would they think. So, I saw him in the Press Box at the Steeler game on Sunday and that was his comment which I thought was very commendable.

The Chair:

And he and Marty Wolfson recently wrote a book called "Doing It Right" about Pittsburgh. It's a great book. I bought a couple copies of it.

Mr. Regan:

They usually give them to the President of Council.

The Chair:

Not this time.

Mr. Cohen presented

No. 3111 Resolution providing for the issuance of a warrant in favor of Carson Street Gallery, Inc. in the amount of \$2,000.00 for Art Services in connection with the Zone 4 Police Station Wall Mural, payable from Code Account EC 90-441.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 3112 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the reconstruction and improvements to the islands and curbs at the intersection of Thomas and McPherson Boulevards, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account 3-01-30-0041-90, Thomas and McPherson Island Improvements.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 3113 Resolution amending Resolution No. 507 eff. May 30, 1991, entitled "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in

connection with the 1991 Community Development Block Grant Program", so as to add new line items and reprogram funds under City Council. ---**(SPONSORED BY MR. FERLO & ALL MEMBERS OF COUNCIL)**

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 3114 Resolution providing for the issuance of a warrant in favor of General Electric, P.O. Box 102149, Atlanta, Georgia 30368 in the amount of \$1,562.60 in payment for electrical material furnished for the benefit of the City in connection with replacement of transformer for Pump #6 at Herron Hill Pumping Station, chargeable to and payable from Code Account 1976, Materials, Dept. of Water Purification and Pumping Division.

Also,

No. 3115 Resolution providing for the issuance of a warrant in favor of U.S. Nuclear Regulatory Commission, License Fee & Debt Collection Branch, P.O. Box 954514, St. Louis, MO 63195-4514 in the amount of \$1,500.00 in payment for license fees furnished for the benefit of the City in connection with radio active material used in the gas chromatograph, chargeable to and payable from Code Account 1973, Supplies, Dept. of Water Purification and Pumping Division.

Also,

No. 3116 Resolution providing for the issuance of a warrant in favor of Perkin-Elmer Corp., Citibank, Delaware, Box 7247-9000, Philadelphia, PA 19170-9000 in the amount of \$3,794.75 in payment for laboratory supplies furnished for the benefit of the City in connection with special supplies for the atomic adsorption

spectrophotometer, chargeable to and payable from Code Account 1973, Supplies, Dept. of Water Purification and Pumping Division.

Also,

No. 3117 Resolution providing for the issuance of a warrant in favor of Millipore Corporation, P.O. Box 7247-8930, Philadelphia, PA 19170 in the amount of \$4,579.60 in payment for laboratory equipment furnished for the benefit of the City in connection with equipment needed for daily water testing, chargeable to and payable from Code Account 1975, Equipment, Dept. of Water Purification and Pumping Division.

Also,

No. 3118 Resolution providing for the issuance of a warrant in favor of Sealing Specialists & Service Co., 969 William Flynn Highway (Route 8), Glenshaw, PA 15116 in the amount of \$839.00 in payment for electrical material furnished for the benefit of the City in connection with a custom-made valve and gasket kit for Brilliant Pumping Station, chargeable to and payable from Code Account 1976, Materials, Dept. of Water Purification and Pumping Division.

Also,

No. 3119 Resolution providing for the transfer of an aggregate amount of \$55,000.00 from Code Account 1977, Utilities, Dept. of Water, to various Code Accounts in the Dept. of Water.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3120 Resolution authorizing

membership in the American Water Works Research Foundation, 6666 West Quincy Avenue, Denver, Colorado 80235, at a cost not to exceed \$20,445.60, chargeable to and payable from Code Account 1922. Misc. Services, Administration Division, Dept. of Water.

Which was read and referred to the Committee on Water.

Mr. Milliones presented

No. 3121 Resolution providing for the issuance of a \$20,000.00 warrant in favor of John and Alice Sobocinski in settlement of claim for property damage due to a water main break on Sarah Street on July 4, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 3122 Resolution repealing Res. No. 253, Item I, eff. March 22, 1991 which repealed Res. No. 848, Item H, eff. August 16, 1990, which authorized the sale of a lot 50' x 100', located at 1904 Elmdale Road, 28th Ward, Block 18 E, Lot 158, to Bruce Brosek, for the sum of \$500.00. The reason for repealing Item I of Res. No. 253, eff. March 22, 1991 is that the title search was received after the Forfeiture proceedings were initiated. (Council District #2)

Also,

No. 3123 Resolution repealing Res. No. 58, Item C, eff. February 12, 1991, which repealed Res. No. 873, Item B, eff. November 14, 1989, which authorized the sale of 2 lots 20' x 100', located at 625 Kendall Street, 10th Ward, Block 81 A, Lot 173, to Kenneth E. Dittig and Maria T. Dittig, his wife, for the sum of \$350.00. The reason for repealing Item C of Res. No. 58, eff. February 12, 1991 is that the Balance Payment was received after the Forfeiture proceedings were initiated.

Also,

No. 3124 Resolution repealing Res. No. 782, eff. August 14, 1991, Item A, which authorized the sale of property in the 13th Ward, being a 2-1/2 story, brick, house on a lot 26' x 93.66', located at 7149 Hermitage Street, designated as Block 174 A, Lot 259, to Donzal and Sandra Newsome, for the sum of \$7,600.00. The reason for the above repealing resolution is that the purchasers are unable to obtain financing and are unable to continue with the sale. (Council District #9)

Also,

No. 3125 Resolution repealing Res. No. 782, eff. August 14, 1991, Item B, which authorized the sale of property in the 21st Ward, being a 2 story, brick M. house on a lot 24' x 65', located at 1208 Liverpool Street, designated as Block 22 L, Lot 242, to Robert Josquin Boudreau, for the sum of \$8,200.00. The reason for the above repealing resolution is that the purchaser is unable to obtain financing and is unable to continue with the sale. (Council District #6)

Also,

No. 3126 Resolution repealing Res. No. 672, Item B, eff. July 15, 1991, which authorized the sale of property in the 25th Ward, being a 3 story, brick and frame apartment house on a lot 20' x 100', located at 1411 Federal Street, designated as Block 23-G, Lot 4 to William P. Lowry and Margaret L. Kohl, for the sum of \$10,057.00. The reason for the above repealing resolution is that the purchasers are unable to obtain financing and are unable to continue with the sale. (Council District #6)

Also,

No. 3127 Resolution amending Res. No. 559, Item F, eff. June 5, 1991, which authorized the sale of a small, vacant, lot 25' x 71.5', known as 646 Sickles Street, 13th Ward, designated as Block 231 M, Lot 307, to Wilbur Ferguson and Brenda A. Ferguson, for the sum of \$350.00. The reason for the above amending resolution is to correct the address which currently reads 646 Sickles St. to read 648 Sickles St. (Council District #9)

Also,

No. 3128 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 3129 Resolution authorizing the transfer of \$60,000.00 from Code Account 1446-1, Police Investigations Account to Code Account 1461-3, Fire Longevity, Bureau of Fire, Dept. of Public Safety. This transfer is necessary to maintain operating procedures for Code Account 1461-3.

Which was read and referred to the Committee on Finance.

The Chair presented

No. 3130 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss Bill No. 3095 relative to the non-binding referendum question as to the voter's preference regarding the construction of a new baseball stadium. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which was read, received and filed.

The Chair:

I don't know how many Members of Council are aware that within the last hour the Mayor has announced that she is withdrawing her proposal to build a new stadium. Therefore, the petition in front of us may not be a valid petition.

I would ask the City Clerk and Councilman Ferlo to ask the petitioners to withdraw their petition.

Mr. Ferlo:

No question.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3131

Report of the Committee on Finance for September 11, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3058

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Commonwealth of Pennsylvania in the amount of \$400.00 in payment of the City's portion of the State's cost of reviewing the design of the Reconstruction of the Larimer Avenue Bridge over Conrail; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3059

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of U.S. Nuclear Regulatory Commission, License Fee and Debt Collection Branch, in the amount of \$1,500.00 in payment of the Annual Materials Fee Invoice; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3060

A Resolution entitled, "Resolution providing for

the transfer of \$1,500,000.00 to the 'Market Square Improvements Trust Fund,' Index Code #252726, which represents front funding for the restoration and renovations of Market Square."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Wagner
	(Pres't)

AYES 4 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill was tabled.

Also,

Bill No. 3080

A Resolution entitled, "Resolution providing for the issuance of a \$781.50 warrant in favor of Charles B. and Grace E. Pleasant in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3081

A Resolution entitled, "Resolution providing for the transfer of \$6,500.00 from Code Account 1017, Index Code 101709, Mayor's Office, to Code Account 1034-1, Index Code 103416, Premium Pay, Commission on Human Relations."

Which was read.

Also,

Bill No. 3083

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 3085

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3088

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting

services rendered to Eugene Ricciardi for the month of August 1991."

—(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 3132

Report of the Committee on Planning, Housing and Development for September 11, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3079

A Resolution entitled, "Resolution approving a

Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Mercy Hospital of Pittsburgh for authorization to construct a five-story, 110,000 square feet addition, with a one-story penthouse and a front yard depth of eleven (11") inches along LOCUST STREET, to the existing hospital structure located at 1400 LOCUST STREET, on property zoned 'I-C' Institutional-Civic District, 1st Ward.

Which was read.

Also,

Bill No. 2943

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant or consultants for professional services including design and production of maps and technical information and other services related to the City's Bikeway Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 3133

Report of the Committee on General Services for September 11, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3072

A Resolution entitled, "Resolution providing for an agreement or agreements of lease with DiNardo Limited (owner Charles DiNardo) of certain indoor and outdoor space for an initial term of five (5) years, at \$1.00 per square foot annually, for the purpose of securing space to be used for the storage of vehicles by the City of Pittsburgh and the Department of Public Safety, subject to and contingent upon the annual appropriation of funds for the said agreement of lease.

Which was read.

Also,

Bill No. 3073

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, entitled 'Resolution adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' which was further amended by Resolution No. 582,

effective June 18, 1991, by increasing Project 228 (Bureau of Repairs and Operating Maintenance), by \$415,000.00 from \$750,000.00 to \$1,165,000.00."

Which was read.

Also,

Bill No. 3074

A Resolution entitled, "Resolution amending Resolution No. 585, effective June 18, 1991 entitled 'Providing for the letting of a contract or contracts, or to exercise against existing contracts for various repairs and renovations to City Facilities, and providing for the payment of cost thereof,' by increasing the total project allocation by \$215,000, from \$450,000 to \$665,000."

Which was read.

Also,

Bill No. 3075

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or for the use of existing contracts for the purchase of a Three Wheel Forklift Truck for the Department of General Services, Code Account 4-30-01-0001-88, (Bond Fund) Index Code 370346, Miscellaneous Equipment for City Departments for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 **NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 3134

Report of the Committee on Public Safety for September 11, 1991 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3086

An Ordinance entitled, "An Ordinance adopting a Municipal Drug Task Force Agreement with the Office of Attorney General of the Commonwealth of Pennsylvania to enforce narcotics and illegal drug laws in the City of Pittsburgh and thereby preserve the safety and welfare of the community."

Which was read.

Also,

Bill No. 3087

A Resolution entitled, "Resolution amending Resolution No. 43, approved February 5, 1991,

effective February 12, 1991, entitled 'Resolution providing for an agreement or agreements with a psychologist or psychologists for professional psychological services for the Department of Public Safety and providing for payment of the cost which is not to exceed \$48,000.00 payable from Code Account 1401, Index Code 140103, Misc. Services,' by increasing the allocation by \$10,000.00 to \$58,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 **NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 3135

Report of the Committee on Engineering and Construction for September 11, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Mr. Ferlo:

Mr. President, Bills 3061, 3062 and 3063 are companion bills to Bill 3060 which was just tabled relative to Market Square Improvements. In light of additional attendance here at the meeting, I would ask that, along with those three bills, there be reconsideration of Bill 3060.

I'm happy to recommit all of it and continue the debate about the wisdom of the appropriations for Market Square, but I do think that the proposed renovations do have the majority support on Council and I think we should just dispense with it, although I personally think the money is better spent on trash receptacles and fixing sidewalks in Downtown Pittsburgh.

Mr. Cohen:

Mr. President, I would like to move to reconsider Bill 3060 on the Market Square improvements, along with these Engineering and Construction bills. I move that we reconsider Bill 3060 as part of this package.

Michelle Madoff seconded the motion.

Mr. Ferlo:

Point of Order. According to our resident Parliamentarian, Mr. Ricciardi, a dissenter, must make a motion for reconsideration.

The Chair:

Is that accurate, Mr. Perry?

Mr. Cohen:

I don't believe that's true.

Mr. Ferlo:

Could we get a ruling from the Parliamentarian on that?

The Chair:

I have no problem in getting a ruling but whether it's done in this manner or it's simply untabled next week, it certainly doesn't matter one way or the other.

Mr. Ferlo:

I suggested that initially, Mr. President.

Mr. Cohen:

Unless the Councilman or the Parliamentarian can point to something in that regard, I think that the motion for reconsideration should hold.

The Chair:

We'll let the Parliamentarian research it while we're talking about these bills.

Michelle Madoff:

I'm on record as not being very happy about what is going on in Market Square, the funding. I recall the Market Square area being repaved within two years; granted, there were some federal subsidized dollars, but meanwhile, it's tax dollars redoing the thing over and over and over again.

But in reflecting on the issue, I think that there's a public-private partnership at work here and that's where we ought to be going with a lot of our reconstruction and improvements for the City.

In that light, I wanted to show that this

Council is not a bunch of protagonists, that we really want to work together, and that I will vote for Market Square.

Mr. Ferlo:

I appreciate the Administration reconsidering the renovations in Market Square. If you remember, the initial proposal was a several million proposal; this is a modified version, the suggestion being that \$1.4 million be expended, of which, according to Michelle, regarding this public-private participation, \$700,000 would be generated from the private sector, specifically through the Allegheny Conference various foundations.

I made the comment in the meeting about the check being in the mail. I don't know that we have a formal assurance; we don't have anything in writing, according to Director Sciulli, that that money is forthcoming. Assuming that it is, I think it is good that there is private sector contribution and support regarding the renovations.

My main concern regarding the expenditure, albeit \$700,000 or \$1.4 million, and I have said this at the meeting, is that I believe in my heart that the appropriations would be better spent regarding all of the Downtown area if the monies were allocated for sidewalk improvements. A very large percentage of the sidewalks in the Downtown area throughout the shopping retail districts are really in terrible condition and disrepair. And I would rather see a loan and/or grant program initiated to take care of that which, to me, is a greater priority than the renovations that are proposed for Market Square.

Others made comments about the need to fix up Downtown and do one thing or another. I believe the conditions of the sidewalks, the lack of trash receptacles, the lack of proper street cleaning, and the lack of police visibility are greater factors regarding the consumer and/or the

public's perception of the viability of Downtown as opposed to, once again, bricks and mortar for Market Square.

In light of that, I'm voting no on the appropriation.

Mr. Cohen:

I also had serious problems with the initial Market Square proposal. It was twice as much as this one is and the Administration went back to the table, after Council registered its objections, and they went back and cut the proposal in half, and also got a commitment from the Allegheny Conference of a half million dollars. That is a significant commitment. If we vote against this bill, we will be losing that private component of a public-private partnership. And that's why I think we should go ahead with this.

On the Parliamentary part of this, my understanding is from Robert's Rules, at least Rule 19, says that a motion for reconsideration must be moved by one who voted with the prevailing side. I did vote with the prevailing side and I'd like to make that motion.

Michelle Madoff seconded the motion.

The Chair:

Mr. Perry, is that the right interpretation that you received from the Parliamentarian?

Mr. Perry:

We were reading something from the Rules of Council and it states that it could be taken up at any time during this meeting.

The Chair:

Okay, so the motion is in order. And there is a second to reconsider Bill No. 3060. All

those in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

The motion passes; therefore, we have all four bills for Market Square in front of us.

Bill No. 3060

A Resolution entitled, "Resolution providing for the transfer of \$1,500,000.00 to the 'Market Square Improvements Trust Fund', Index Code #252726, which represents front funding for the restoration and renovations of Market Square."

Which was read.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 5 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3061

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as the 'Market Square Improvements Trust Fund' for the deposit of funds to be used for the Restoration and Renovation of Market Square."

Which was read.

Also,

Bill No. 3062

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by amending the title of EC 91-101 (Market Square Public Improvements) to read 'Market Square Public Improvements Trust Fund Transfer.'"

Which was read.

Also,

Bill No. 3063

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Restoration and Renovation of Market Square and for the purchase of equipment and materials for said project; and providing for the payment of the costs thereof."

Which was read.

Mr. Ferlo:

I would like my comments brought forward on these four bills.

The Chair:

I would like my comments brought forward also.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. FERLO AND WAGNER'S COMMENTS ON BILL NOS. 3060, 3061, 3062 AND 3063, WEDNESDAY, SEPTEMBER 11, 1991)

Mr. Ferlo:

Director, first of all I appreciate the fact that you and the Administration have come back to the table with a more practical proposal. I guess I still have reservations in terms of the allocation of the \$700,000.00 and if we go by City Planning's commitment regarding the Forbes proposal, we have never seen any evidence so far that the business sector is making a commitment and in your case you're implying that private corporations will contribute \$700,000.00. We have nothing in writing unless you can show me that and secondly, you're implying that the business communities and surrounding property owners will participate in some type of maintenance arrangement but I don't know that we have any evidence of that.

The main reservation that I have about this, I think a lot of what you talked about is interesting and it's certainly something I would like to see done at some appropriate time. But I find it interesting that you're able to get a lighting fixture approved when most of the other neighborhood business districts have been fighting with City Planning for the last five years regarding the lights.

Dir. Sciulli:

It's the same lighting that's at Market Square now. I haven't changed the light at all. It's the Market Square light.

Mr. Ferlo:

But City Planning is not willing to let other neighborhood business districts use it.

Dir. Sciulli:

I can't answer that but I didn't change the lighting head.

Mr. Ferlo:

I guess just in terms of priority and what I see just in terms of what needs to be done Downtown. I mean, I would be happy if for the next two years we spent whatever valuable resources we have to fix sidewalks or initiate some grant program and/or grant-loan program for the fixing of sidewalks. If you walk around Downtown, even in front of business that have more than enough resources like Woolworth's or McDonald's, the sidewalk is in completely poor condition and if it were a resident of Highland Park they would be cited. I would be happy if nothing more in the next two years we fix downtown sidewalks and put receptacles around the Downtown which are woefully

inadequate. And my problem with this proposal is that kind of priority is far more important than the ambiance that you're suggesting.

Dir. Sciulli:

Let me say that Market Square is the primary public meeting space in town. We only have two squares: we have Mellon Park and we have Market Square. Basically this is where people come for their first amendment rights and I've sure you've experienced it from time to time.

Mr. Ferlo:

But I don't need to do that with World's Fair benches and decorative lighting. It really gets to be a question of what are our priorities?

Dir. Sciulli:

Let me offer this. Basically our commitment to this would have been about \$2.5 million. Now if Council approves it and we go through the process, we're down to \$700,000.00.

Mr. Ferlo:

You don't have anything in writing to Council that indicates the dollar volume of support from the corporate sector.

Dir. Sciulli:

As I mentioned to you, my meeting yesterday with Allegheny Conference they indicated a commitment of \$500,000.00. I'm working with them to increase their allocation from \$500,000.00 to \$700,000.00 and our portion is \$700,000.00. And that additional money could go to the neighborhoods, to the Downtown sidewalk programs, any of the programs that you have mentioned.

I think it's a good way to look at something based on the reality of today, on the economic conditions of today. We took a design and we've actually in my estimation have improved the design quite a bit. We have given it more trees and more benches at a lower price using substituted materials and it's a great enhancement for Market Square.

Mr. Ferlo:

This is a separate issue I addressed with you yesterday. But I would ask all of the public and Councilmembers to go look at the brickwork that's being laid now along Penn Avenue from the Convention Center up to 9th Street. It's horrible. I don't

know who the contractor is, I don't know who the inspectors are but it's horrible.

Dir. Sciulli:

As I mentioned to you, that is not our contract but I will look at it.

Mr. Ferlo:

It's public dollars.

Mr. Wagner:

Director, going back to when this project has been discussed at the table numerous times, to what degree has it be scaled back financially since its original proposal?

Dir. Sciulli:

I've tried to touch on that when I was here at the table earlier.

The consultant who is originally contracted to do this work came up with an estimate of \$2.7 million. We feel, we being the Department of Engineering and Construction, feel that the estimate is low because they undervalued the granite and based on our experience on Grant Street, we think that the original design would cost the City \$2.3 million. This design that we have proposed is estimated at \$1.4 million. We would put in \$700,000.00 and we are seeking \$700,000.00 from the private sector.

Mr. Wagner:

And we have scaled back the amount of money from the Department of Community Affairs I believe on the project also.

Dir. Sciulli:

Council rejected the \$310,000.00 that would have come from DCA.

Mr. Wagner:

So the project is approximately one-half of taxpayer dollars as originally proposed.

Dir. Sciulli:

That is correct. The total costs in terms of taxpayer dollars is considerably less. Taxpayer dollars have gone from \$2.3 million down to \$700,000.00.

Mr. Wagner:

Now in regard to the concern at the table here by several of my colleagues on the maintenance, obviously the maintenance of the present Market Square has been miserable over the years. What assurance can you give us, the Allegheny Conference and/or others that that is not going to occur with this investment?

Dir. Sciulli:

You're absolutely correct. In fact, at the Allegheny Conference that is their main question is who is going to maintain it? And as I have mentioned, we have had discussions with the Partners In Parks, we have had discussions with the Western Pennsylvania Conservancy, we have talked to the business owners, not all of them but a few of them on Market Square about paying a fee to help maintain Market Square. They seemed very open about it. I planned to contact PPG about what contract they use for their trees. Ultimately what we'll have here is a contract that will maintain Market Square that will be borne by the business owners, the Conservancy, Partners In Parks or whatever. We haven't come up with that formula of exactly who will do that.

Mr. Wagner:

Well, I would just hope that that is private dollars because this is public dollars and an investment to enhance an area where there is considerable private investment. Originally that was talked about with Grant Street and that never happened on Grant Street and I don't want to see that happen in Market Square so I would like all of you to give us a commitment that that is going to happen on Market Square because the long-term cost of maintenance here is a situation where the private dollars can be spent for this purpose to enhance private investments around the Square and if we the public representing the public taxpayers have to maintain this, this project then becomes in competition with ballparks and neighborhood parks and all of that and quite frankly I don't think that should occur.

Dir. Sciulli:

It's absolutely the intent to have private --

Mr. Wagner:

-- it needs to be more than intent, it needs to happen. That was the intent with Grant Street and it didn't happen. It was supposed to be a corporate commitment on Grant Street, that never occurred and I don't want to see that happen on Market Square. I'm willing to vote for this project, I think the project is needed but at the same time I want to make sure that

the ongoing maintenance is there to make sure that this public investment remains intact.

One last question. How is it that, and Councilman Ferlo alluded to this, how is it that the lighting in Market Square can be historical and it can't happen in other areas of the city?

Dir. Sciulli:

I don't have an answer for that.

Mr. Wagner:

Well, from a legislative point of view something has to happen here. Penn Avenue, the whole historical district of the cultural area of the city is now being redone and we're doing it with public dollars and it's historical in nature but we're putting in those ugly modernistic light standards rather than the standards that are proposed here in Market Square and I'm pleased to see that you're doing that here but certainly that should be happening in other historical areas of the city at a minimum.

Dir. Sciulli:

I think that is an issue that has to come before Council.

Mr. Wagner:

Well, I think Council has to deal with that issue and I'm pleased it's part of this project I'm but disappointed that it's not part of the others. Thank you, Mr. Chairman.

Mr. Ferlo:

Members of Council, one of the reasons why we have boarded up storefronts in Downtown is because the only police officers people see when they come here are directing traffic and not visible as far as being police officers, that's one of the problems.

My main concern and I think a lot of what you have done Director is great in terms of being practical and I think at some point it's an appropriate thing to do. You sound like me though when I have the gas company on the other line because I'm late paying my bill, the check is in the mail.

We've been hearing for several years by the Administration and specifically from the Planning Department that the private sector property owners are contributing to the Fifth-Forbes Corridor Proposal and we've never seen any evidence of that. I'm

still not convinced that there's any evidence of adjoining property owners in and around the Square agreeing to buy --

The Chair:

-- Mr. Ferlo, do you have any questions?

Mr. Ferlo:

-- I think that's an important comment. The other concern I have is just a concern of priorities. I would rather see our dollars spent on repairing sidewalks in the Downtown Corridor and putting receptacles in, both of which are woefully inadequate.

The Chair:

You're restating yourself.

Mr. Ferlo:

I'm trying to win a vote here.

Mr. Wagner:

I think we should be commending Director Sciulli here because Council through all of the debate of Market Square has said that it costs too much and Director Sciulli has gone back and cut the costs in half. Truly he has made this a workable project at the request of Council and Council has really been the driving force to reduce public costs on the project and I commend him for it and I truly think that we have to invest in the Downtown as several of you have stated and we have a considerable commitment here from the private sector. I would hope that this would pass, that there is five votes or possibly more than five in the affirmative.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3064

A Resolution entitled, "Resolution providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation to reimburse the City for 80% of the costs of our in-house bridge inspection program."

Which was read.

Also,

Bill No. 3065

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Miscellaneous Repairs to Various

Streets and Structures; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3066

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for sidewalk replacement at various locations maintained by the Housing Authority, including but not limited to Garfield Heights; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3067

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for Construction of Handicapped Ramps in Various Communities throughout the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3068

A Resolution entitled, "Resolution amending Resolution No. 231, effective March 14, 1991, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of equipment and materials in connection with the Safety Code Compliance Program; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$63,087.76 from \$15,000.00 to \$78,087.76."

Which was read.

Also,

Bill No. 3069

A Resolution entitled, "Resolution providing for the acquisition from Patrick Cox and Catherine Cox, his wife, and Daniel Seemiller and Valerie Seemiller, his wife, certain property located in the 29th Ward of the City of Pittsburgh, for the relocation of the Carrick Branch of Carnegie Library; providing for a Cooperation Agreement or Agreements with The Carnegie for the renovation of said property; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3070

A Resolution entitled, "Resolution Repealing Resolution No. 1005, effective October 22, 1981, as amended by Resolution No. 76, effective February 22, 1982, entitled 'Providing for an Agreement or Agreements with the Norfolk and Western Railway Company for permission to tunnel under their tracks in connection with the reconstruction of the Saw Mill Run Sewer.'"

Which was read.

Also,

Bill No. 2933

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital

Improvement Program,' by transferring EC 90-490, Bike Route from the Department of Engineering and Construction to CP 90-490 Bike Route, Department of City Planning."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council, I don't know if you're aware of it but I have spent a great deal of my time going out and speaking to the ARPS. American retired citizens and senior citizens everywhere have invited me because they know I'm on the trail. It's not just in my district because I don't believe that we as Councilmembers support only our district.

I have been talking about the plight of our senior citizens and what they're going to be

confronted with in light of the present economy and so on.

I'd like to remind everybody that in the 1990 budget we had senior citizens who came before us to urge the City to create a Pittsburgh Department for Aging under the auspices of the Mayor's Office. They were not looking for funding but for an office, a desk, a telephone and a secretary, and most of all, the credibility the government offers.

Most of you already know the sad facts. Two out of five Americans over the age of 65 will spend time in a nursing home. An average nursing home stay for a year costs about \$25,000 and Medicare covers only about 2 percent of the bill. It's no wonder that half of all elderly people living alone will spend themselves into poverty only 13 weeks in the hospital.

The United States will not catch up to Allegheny County's current proportion of older people. We now have 400,000 compared to the rest of the population which is not quite as high.

The elderly themselves are growing older. In 1990, one-third of the older people were over the age of 75 and they're the fastest growing segment of the population in the country.

Funding for public services for the county's aging population is at a standstill, while the graying of the population is at full run. The gap between resources and demand is widening by alarming proportions

A comprehensive nation-wide study determined hospital patients without health insurance die at a rate three times greater than those with insurance coverage. Your chances of coming out of the hospital alive are markedly altered by whether you bring along a Blue Cross or other health insurance card. The evidence of the need to change the way our health care is

financed and delivered in this country is long overdue.

The senior citizens are the largest voting block and anything short of a comprehensive national health plan is not going to be acceptable to them. I repeat, they vote.

I personally am committed to helping those of us over 55 to get what is rightfully ours — national medical care that will not turn us into paupers, strip us of our dignity, and prevent us from leaving our savings to our children.

The Census Bureau projects that the population of those over 85 are about \$4 million when we get the 1991 census, and there is, as I said, over 45 and growing.

On a related issue, you know, most senior citizens like myself are not decrepit. Look at us. Most of us want to be vibrant parts of the community. Sure, bingo is fun. I like it myself. But we need to have programs through a new office of seniors that provides dancing, arts and crafts, swimming, social interaction, including living communities for those of us who want to move out of homes to stay in our own neighborhoods, and provide special amenities.

My step-mother lives in Florida in a place called Century City. She has all of these options and it keeps her young. She's 75; she doesn't look 60. I don't think I look my age. I think it's because I keep active, I'm involved. It keeps the juices flowing and it keeps us young and healthy. And one of the ways we're going to stay young and healthy is fighting for what is rightfully ours.

So, I'm asking that a response to a letter dated November 30, 1990 requesting that the Mayor establish or create a senior citizens Pittsburgh Department of Aging under the Mayor's auspices, that we write that letter for the community for all the senior citizens as a request,

strictly as a request to the Administration.

We're not talking about funding. It is not going to be too costly to put in the use of a secretary, give them a desk and an office, and have a telephone. I don't think that we can do anything less for the senior citizens of this community. It's our parents.

I hope somebody would second that motion that we request that that be seriously considered as an option before budget time.

Mr. Ferlo:

I'll second it for discussion.

Mr. Ricciardi:

I think Councilwoman Madoff raises a very interesting position, one that I have supported in the past year. I think the climate for activities for our elderly has changed. The elderly are not just looking to go to the senior centers and play bingo. There's more involved here.

I have had some discussion with the Administration concerning creating the Department of Aging, one that would not cost the taxpayer an additional dollar, but one that would transfer some of the resources from the Department of Parks and Recreation into this new department.

Some people might say, well, we already have the Allegheny County Area of Aging, but there's certain activities that they do not perform that this department would perform.

I think a lot of this discussion hopefully will occur during the budget time if we agree with this position. I think there's a lot of other issues that need to be discussed along this.

I would support this for several reasons. I don't think it could cost the taxpayers any additional dollars. I believe in my heart that the Administration is sincerely looking at this and I would like to commend Jim Turner on that notion. I believe he has met with the senior advocates, I have, and it sounds as though Michelle Madoff has and I think she is to be commended on this also. Thank you.

Mr. Ferlo:

I agree with both my colleagues. I think it would be good in light of the testimony that was submitted to Council in previous budget hearings by leadership from the senior citizens or elderly advocacy council from the various senior centers in the City as well as some of the AARP chapters that testified.

I was led to believe, as Mr. Ricciardi has stated, that the Administration was reviewing it and I was hoping at some point they would come back with some pronouncement. But I think it's good that Michelle has brought this issue back to the table and I hope that it focuses our attention during the budget deliberations specifically when we meet with the Director from Parks and Recreation which has the largest share of responsibility regarding our senior centers and the advocacy council, as well as some of the individuals in the Mayor's Office who I think need some more definition to their job task.

But I applaud this and I support it and I hope that we can make more concrete our debate with the Administration during the budget proceedings.

Michelle Madoff:

May I go back to my original motion? I am respectfully asking Council to support me in sending an official request from the Council that we're a little disappointed that this request was

made in 1990 and we're coming into the 1992 budget. If you have been here long enough you know that nothing changes at budget time, or very little. We take a little bit from Peter and give it to Paul and we move something around. But nothing substantive changes.

And while this is not substantive dollars, and I should have alluded to the fact, and I'm glad you did cover it, Mr. Ricciardi, the money is already there. We have already allocated money for senior citizen centers when we give money for programs. It's really just massaging the money a little bit. But it's the creation of a Department of Aging under the Administration of the Mayor's Office.

If you read in the paper recently, you saw that Sophie is going to go out and either cut a ribbon or do something and one of the aging groups will be there. And I think she certainly has an interest in this. But we have to stop talking things to death and we have to stop just having a lot of hyperbole and do something.

So, what I'm asking is for my colleagues to send a letter making a request that in the 1992 budget that the Mayor allocates the creation of this entity. Any way that Mr. Turner can come up with creative financing, I'm all for it. But if they don't, I'm going to ask this Council to create the department under the Department of City Council because it is so important we have to do it.

Mr. Regan:

I agree with the Honorable Councilwoman. I think that the quality of life that we have today is because of these senior citizens, excluding the Councilwoman.

And I think we're really on the right track because these people, a lot of them have retired early and they have so much ability and there are

so many quality people out there that could do so many things for our people in the City of Pittsburgh that I think that we're really remiss in our duties as elected officials if we don't ask these people to help in a lot of ways that we can't get help because of our budget.

I commend the Councilwoman, as always. She really hit on a good issue and I'm for it 100 percent.

Mr. Cohen:

Mr. President, I think we have unanimity on Council for this issue.

I also want to congratulate Councilwoman Madoff. I think it's a very good idea and I hope that if we get to the point where an office is actually created, that the office does important things and is not just an office with a desk but some place that can coordinate activities and really work on the hard issues that are facing the elderly right now, and that is transportation, housing, those very difficult issues. I think an office like this could be a step in the right direction.

So, congratulations to Councilwoman Madoff and I'll be happy to vote for it.

Michelle Madoff:

I'd like to respond, if I may, Mr. President. The kind of thing that I think is terribly important, and I talked to a group of 150 people yesterday, and I had to apply to buy nursing home insurance because I don't know if the national health care is ever going to cover that. It's just not going to do it. There just isn't that kind of money. But I want to be sure I'm not going to be ripped off and I want to know what a good plan is.

I have looked at two or three plans and, fortunately, my insurance man is a broker so he

doesn't care which one he sells, and he recommends what he believes to be the correct one.

Well, what I learned at this group yesterday and I had learned from a friend is that Blue Cross-Blue Shield has just come out with what is rated as the best plan. One of the men in the audience said that yes, he had read it, he had been at a lecture, and he thought it was the best plan and that he was very concerned that many of the senior citizens there did not go out and buy a bad plan.

I was talking to some people about it today or yesterday and they're telling me that their parents, grandparents who are buying who are in their 80's are paying \$3000 a month. What they don't know is that if you buy it when you're young, like I am, it's about \$600 or \$700 a year. And there are policies that go beyond three years so that if you have Alzheimer's, then you are not cut off of the policy. You're renewed automatically.

I said to my insurance agent, "God, \$700 a year. Isn't that a lot of money?" He said, "What do you pay for insurance on your car? What do you pay for insurance on your property?" I said, "Over \$1000." He said, "What's more important? You or the properties or your car?"

This is the kind of thing the creation of an Office of the Aging would research and would know to keep people from buying bad insurance policies, where they should look for the substitute policies when they go on Medicare. That isn't covered very much. So, I think you're right and they should look for substantive issues.

I'd like to call for a vote, I think I have a second from Mr. Ferlo, to send a specific request to the Administration saying before, not at budget time. When the budget comes in, when the Mayor presents us with a budget, she tells us what

will be done to create the specific office like the Pittsburgh Department for Aging under the Mayor's auspices.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Ferlo:

Mr. President, on a matter that we have been discussing for the last year and a half, getting back to our favorite study, and that is the so-called fire study.

Against my better judgment, this Council allocated close to \$200,000 to conduct a so-called fire study. I believe this study is completed and that it is in the hands of the Administration, specifically Director Cannon, possibly Director Turner, and God knows who else.

I can't believe that Councilmembers here who voted for this study do not feel that they have a right to receive a copy of it. And, more

importantly, I think any public document is not only the privilege of Councilmembers to have but I think the public itself has the right to review this study.

If this study, whatever recommendations it is proposing, is indeed guiding this Administration regarding its annual budget deliberations, I think we have a right to review this. And I think, more importantly now than even the issue of reviewing the study, because as far as I'm concerned I have always contended that it will be nothing more than a propaganda tool for the Administration to reduce the work force and close stations.

Setting that issue aside, really the greater issue now relative to the fire study is just the issue of process, the fact that basically this legislative body, which has allocated the dollars, is completely getting a slap in the face from the Mayor and the Administration regarding our right to receive this information.

I'm sick and tired of meeting after meeting making this continual request and I would like to formally make a motion that we respectfully request Mayor Masloff to appear at a Wednesday session to discuss the issue of the fire study and why we cannot have a copy of this document. I would like to make that in the form of a motion and it's pursuant to the Home Rule Charter which allows Council to request the formal appearance of the Mayor regarding a specific issue.

Michelle Madoff seconded the motion.

The Chair:

There's a motion on the floor and we're not going to deviate from the motion. The motion is to request the Mayor's presence to talk about the status of the fire study.

Mr. Regan:

Discussion on the motion. I agree with the President Pro tem that this should be forthcoming, not now but it should have been forthcoming a long time ago. He and I voted against the \$195,000 study and we knew the bottom line anyhow. The bottom line is closing fire houses and eliminating firemen, whether at will or by attrition.

I said at that time, and I say at this time, that was \$195,000 that was wasted that could very well have gone into Market Square. This was an absolute waste of money because we all knew the bottom line before anybody even voted on it. And I felt good voting against it before and I would vote against it if it came up again.

The bottom line is here and we should have that study to know what it's about because we had enough in-house people with the topography of this City. Our people know this City better than anybody from California or Cincinnati or anyplace else. And I feel that this should have been an in-house study at no charge to the City of Pittsburgh.

Michelle Madoff:

I don't think that we can comment on the merits of the study or the integrity of the study until we see it. But I am so riled up about the fact that we haven't seen it and that we read the newspapers that say, "So many firefighters are to go", and we read it in the papers.

I would like to strongly suggest that what has been effective for me lately that if I want some information from the Water Department or some other Department, if I don't get the information I say I'm going to call for a post agenda, which is essentially what Mr. Ferlo is saying. He wants to meet with the Mayor.

But if this doesn't happen in the very near future, I think we stop doing business. We don't pass any legislation if we don't get information.

The Chair:

Let's talk about the motion and the motion is not for a post agenda. The motion is to have the Mayor come in front of Council as part of the formal meeting.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

The Chair:

I would ask Mr. Perry to expedite that motion, please.

Mr. Ricciardi moved to approve the Minutes of Tuesday, September 10, 1991.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo moved to excuse Mr. Milliones for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I move to change the Standing Committee Meeting from Wednesday, September 18, 1991 to Thursday, September 19, 1991 at 2:00 p.m.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ferlo**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, September 24, 1991

No. 37

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, September 24, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MICHELLE MADOFF	MR. FERLO
	(Pres't Pro tem)

ABSENT:

MR. WAGNER

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Regan:

I'd like to ask Mr. Pat DiCesare and Mr. Rich Engler to come up here, please.

You know, here's two ambassadors-at-large for the City of Pittsburgh. These people, through their entertainment business, have created an atmosphere in the City that is good for everybody and we're going to honor them here today in Council with this resolution.

Mr. Regan presents

No. 3170 WHEREAS, in 1992, as they enter into their 20th year of existence, Pat DiCesare and Rich Engler will celebrate the entertainment success of DiCesare-Engler Productions and the achievements they have accomplished throughout those years; and

WHEREAS, in 1977 DiCesare-Engler Productions was the recipient of an award given by Billboard Magazine, presented by the late Mayor Richard Caliguiri, for having transformed the Stanley Theatre from a dying movie house into the #1 concert hall in the United States for 6,000 seats or under; and

WHEREAS, DiCesare-Engler was responsible for bringing Broadway back to Pittsburgh in their "City of Champions Broadway Series" and earned the Entertainers Award in 1986 from the Variety Club of Pittsburgh; and

WHEREAS, DiCesare-Engler is the coordinator and the event supervisor at the A.J. Palumbo Center at Duquesne University, and promotes entertainment at Three Rivers Stadium, the Syria Mosque, Metropol, the Benedum Center and Heinz Hall; and

WHEREAS, DiCesare-Engler promotes approximately 100 shows per year and approximately 100 produced in the City and in several states, and would welcome the opportunity to manage Three Rivers Stadium and be the official events coordinator.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Tuesday, September 24, 1991 as "DiCesare-Engler Day" in the City of Pittsburgh to commend Pat DiCesare and Rich Engler for the outstanding job they have done in the promotion and production of the entertainment business throughout the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

You know, Rich and Pat, it's not every day that Council votes 100 percent, but you're lucky enough to have all the votes in the affirmative here today.

We want you to know that we not only honor you as the entertainment people in this City, but as two fine gentlemen that have made the entertainment business a class operation in the City of Pittsburgh. You are truly ambassadors-at-large for the City that we feel is

No. 1. Congratulations.

Would you like to say a few words, Pat?

Mr. DiCesare:

A frustrated entertainer never refuses that.

Thank you, Councilman Regan; it was very kind of you and your colleagues. We want you to know that we are truly grateful for this recognition that you have bestowed upon us.

I just want to say one thing, that when I first started promoting concerts in the '50s, there was no Civic Arena or Three Rivers Stadium. There was only the Syria Mosque. Today that situation is probably going to be reversed. But at that time, we probably did 4 concerts a year; today we do 104 and I'm grateful for your predecessors having the foresight to create these fine facilities.

But I'm also very grateful to you people here because Pittsburgh is perceived as a very safe City and I think that's because of the dedication, the resources that you people have made available to the City to keep it a safe City. And for that we're grateful. Thank you.

Mr. Engler:

Pat pretty much summed it up. We're really grateful and really honored to be here today and it's going to hang on our wall with pride. Thank you.

Mr. Regan:

Thank you and good luck to you. I know you have a lot of big shots on those walls down there and I'm glad that you're able to hang something from Council up.

I asked this gentleman to come down and visit with us today. He doesn't know that he's getting a proclamation. The Mayor of Castle Shannon, Tom O'Malley, would you please come up?

It's not every day you get a Mayor in here, even if he's from Castle Shannon.

Tommy, we're honored to have you here today.

He doesn't know that he's going to get this award. I asked him to come down and visit with us. We have been friends for a lot of years.

Mr. Regan presents

No. 3171 WHEREAS, Thomas P. O'Malley has been an ambassador-at-large for the City of Pittsburgh, as an Assistant Advertising Manager and Co-Op Advertising Manager, until the time of his retirement on July 1, 1991; and

WHEREAS, Mr. O'Malley, serving as the Mayor of Castle Shannon from 1987 to the present, has promoted and encouraged good will and positive relations between the City of Pittsburgh and the Borough of Castle Shannon; and

WHEREAS, Mr. O'Malley was past President and Chairman of the Board of the Newspaper Advertising Co-Op Network (National Advertising Association); and

WHEREAS, Mr. O'Malley was raised in the Mount Washington area of the City, where he graduated from St. Mary of the Mount High School in 1947, signed a Minor League contract with the Pittsburgh Pirates in 1949, and then went on to serve in the United States Army from 1950-1951; and

WHEREAS, Mr. O'Malley married Kathleen Jean Urben in 1953 and had 5 children and 2 grandchildren.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Thomas P. O'Malley as an ambassador-at-large for the City of Pittsburgh, and commends him for his continuing efforts to promote our great City in every way possible. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Regan:

Tommy has been a friend of mine for a lot of years. I played baseball against Tommy when I was a kid. The Pirates sure as hell wouldn't be in first place if he was playing for them, even then. Tommy was the fastest white guy I every met but he sure as hell couldn't hit.

Tommy, we're honored to have you here and I'd like to give you this proclamation on behalf of City Council.

Mr. O'Malley:

Mr. President, Councilman Regan, Members of Council, ladies and gentlemen, I am honored to be here in the great City of Pittsburgh. From our little Borough of Castle Shannon, we bring you greetings.

The City was very helpful to us in adopting a program through the help of President of Council Wagner and the Alcosan takeover. It has been a help to all the South Hills community and if it hadn't been for the City of Pittsburgh, it

would never have been effective. It saved millions of dollars for the City and millions of dollars for the communities in the South Hills.

It's great to be able to work with a City such as Pittsburgh and the cooperation of the Council here.

We were going to announce the construction of a new stadium in Castle Shannon, but because of certain events we decided maybe it's better not to do that.

But I'm pleased to be here to receive this honor. It will certainly have a cherished place in my home.

Again, I thank you and thank my good friend, Baldy Regan, because if it wasn't for Baldy I probably wouldn't be here today. Only in America and only in the North Side.

Mr. Regan:

Now the family that keeps the North Side eating. The famous Spagnola family, would you please come up?

The Spagnola family just renovated a big Shop 'n Save on the North Side. So, if any of you people never visit the North Side, come on over and shop over there at the Shop 'n Save this coming Sunday.

Mr. Regan presents

No. 3172 WHEREAS, Shop 'n Save store owner Joseph Spagnola has made a substantial investment in the renovation of the Shop 'n Save store to be re-opened on Tuesday, September 24, 1991; and

WHEREAS, festivities will be held at the re-opening, which features a competitive shopping spree with teams being "coached" by

Mayor Sophie Masloff and City Councilmember Bernard J. Regan, with the winning team receiving a Shop 'n Save gift certificate in the winning amount which in turn will be donated to the Food Bank; and

WHEREAS, Shop 'n Save Supermarket has proven its commitment to the City of Pittsburgh by choosing to stay in the Spring Garden area of the City and to make itself readily available to the surrounding Pittsburgh neighborhoods; and

WHEREAS, President of Charley Brothers, Mr. Conrad Stephanites, has also shown his dedication to the City of Pittsburgh by pledging to open several new Shop 'n Save Supermarkets in the City within the next couple of years.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Mr. Spagnola and Mr. Stephanites for their unending commitment and genuine concern for this great City of Pittsburgh. 'IT COULD ONLY HAPPEN IN AMERICA!'

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

Congratulations. Boy, if those immigrants could only see you now, owning a big supermarket, going to speak in Council for the first time in your life.

Mr. Spagnola:

Thank you, Councilman Regan, and all other Members of City Council. I know this

makes my father very proud and we're really proud of our family and everything Baldy has done for us.

Home is where the heart is, and Pittsburgh will always be our home. Thank you very much.

The Chair, Pro tem:

I'd like Pat Agatista from Children's Hospital and Barbara Williams, and Gerri Hunter from my office, to step forward for this proclamation.

I'd also like to ask Bishop Darkins to come forward to co-sponsor this proclamation.

Mr. Ferlo and Mr. Darkins present

No. 3173 WHEREAS, Sickle Cell Disease is an inherited disease that affects the red blood cells. Rather than being round in shape, many of the red blood cells become sickle or moon shaped when they release oxygen to the tissues. When they are sickle shaped, the blood cells are fragile and rigid, making it hard for them to pass through blood vessels. They then tend to break down more rapidly than the body can replace them.

WHEREAS, the anemic and obstruction of blood flow account for most of the health problems that individuals with this disease face every day of their lives. The most common and disturbing feature of the disease is the occurrence of pain attacks from the plugging of blood vessels. These attacks are unpredictable and vary in duration and severity. Some pain attacks necessitate hospitalization, blood transfusions and administering pain medications.

WHEREAS, Sickle Cell Disease was first discovered in 1910; a cure has not been found. Major strides in preventing the early

deaths of children with Sickle Cell Disease have occurred in the past ten years, with newborns who have been diagnosed with the disease being given penicillin.

WHEREAS, Sickle Cell Disease affects all aspects of the patient's life. The recurrent and unpredictable nature of the disease can adversely affect both school and work performance. Support groups for patients and parents of children with Sickle Cell Disease are a necessary part of treatment of this chronic disease.

WHEREAS, September has been named "National Sickle Cell Month" in an effort to inform the public about this disease which affects over 25,000 Black Americans. Due to lack of information, many Sickle Cell trait carriers are unaware that they carry the disease. Screening programs are available nationwide and many of the states have adopted Sickle Cell screening as part of their state's mandatory newborn screening programs. Pennsylvania will add mandatory Sickle Cell screening within the next year.

WHEREAS, The Sickle Cell Program at Children's Hospital has provided medical care to children with Sickle Cell Disease since the early 1970's. At present, nearly 150 children are enrolled in The Sickle Cell Program at Children's Hospital.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Tuesday, September 24, 1991 as "Children's Hospital Sickle Cell Program Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair, Pro tem:

I'd like to call on Gerri Hunter who can introduce our guests, and Bishop Darkins to say a few words.

Ms. Hunter:

I want to thank Council for adopting this resolution for my boss and Bishop Darkins.

I just have a few words that I would like to read. As a parent with a child with Sickle Cell Disease, I can't stress enough the urgency that the public become aware of this disease.

Having a child who has lived with this illness all of his 19 years, I can't begin to tell you what a nightmare it has been for him to be hospitalized so many times. The repeated hospital stays, frequent clinic visits, and daily medications, are enough to make any parent want to throw up their hands and walk away. But because it is your child and you love them, you tough it out.

Sickle Cell Disease has been around for quite a while, but until the early '70s no one really heard about it. After my child was about 6 or 7 months old, I was told that it was suspected that he might have Sickle Cell Disease. I was never told that I was a carrier.

Because this disease attacks different organs of the body, each organ is susceptible to damage. Pneumonia is a common problem with Sickle Cell Disease. Bone pain, joint pain, stomach pain and chest pain, are just a few of the many problems a Sickle Cell Disease person deals with. Because of the severity of pain, many become addicted to strong pain medications which lead to other complications.

Through The Sickle Cell Clinic at Children's Hospital, we were better able to

understand the disease and were told what might happen. Since each case is individualized, we were given a general scope of problems that could occur. Some never happened.

Many of you know my son, Michael. He has been a frequent visitor here during his high school days. Now he is a freshman at Pitt majoring in Chemical Engineering.

There is hope for those with Sickle Cell Disease. Many can live productive lives provided there is support and new care techniques developed to help deal with the problems that can arise with the disease.

Without the support of Children's Hospital, Dr. Carol Phebus and her staff, many parents would be in the dark on how to deal and cope with this disease.

One final note. I want to thank my boss, Councilman Ferlo, for all his support.

I just want to bring up Pat Agatisa. She is the Coordinator for the Clinic, the Genetic Counselor, and Barbara Williams who have been so supportive when I needed them.

Ms. Agatisa:

Thank you. I am honored to be here and I thank Council and Councilman Ferlo for recognizing The Sickle Cell Program at Children's Hospital today. In so doing, you have helped bring the public's attention to this serious illness which affects so many Black Americans.

I would like to invite Council and the public to join us today in celebrating Sickle Cell Program Day at a benefit basketball game to be held this evening at Reizenstein Middle School in East Liberty. I hope to see you there.

Thank you very much.

Ms. Williams:

I'd like to reiterate what Pat said, that we would appreciate you joining us and supporting our benefit basketball game this evening at Reizenstein Middle School.

I would like to thank Council for adopting this resolution. Thank you.

Mr. Darkins:

I was so glad to be asked to join Councilman Ferlo on this resolution. I have been very active with Sickle Cell, not only with Children's Hospital but with The Sickle Cell Society, also Mrs. Wilburn who has the Foundation at Howard University in Washington, D.C.

In understanding the nature of the disease and how affected it is and how it takes a great toll on the African American people, I have grave concerns about it. Much is done through the contribution that you make to help such organizations be successful in curing one and to give them better health and a longer life.

The Chair, Pro tem:

Again, I just want to thank Bishop Darkins for his work with The Sickle Cell Society and basically to applaud Gerri Hunter from my office. I have to applaud her commitment and her dedication as a parent. I think as all of us know, a disease always hits home when it's directly around your family, and then it becomes a very real situation that you have to deal with. Gerri is not only a loving parent, but she really has gone above and beyond the call of duty by becoming an advocate in terms of the needs of parents and children with Sickle Cell Anemia.

So, if there are folks out there in the

listening audience that can come out to the fundraising benefit tonight at Reizenstein School, I think the game begins at 7:00 p.m. and it's the Port Authority Transit East Liberty Garage Bus Drivers versus the WAMO-FM 106ers. So, it should be a great game and the Westinghouse High School Band will also be there. It should be a great event and I thank you all. Thank you.

The Chair, Pro tem:

We have one other proclamation I'd like to submit celebrating Transitional Services.

Mr. Ferlo presents

No. 3174 WHEREAS, Transitional Services, Inc. was incorporated in 1966 as "Transitional Living Services" as a demonstration project through United Mental Health Services in cooperation with Mayview State Hospital, funded by the Office of Economic Opportunity through Community Action Pittsburgh; and

WHEREAS, Transitional Services, Inc. was chartered to provide a wide range of services to mentally disabled adults; and

WHEREAS, for the first 16 years of existence, Transitional Services, Inc. was recognized nationally as one of the best programs in the United States and first in the nation to serve an entire metropolitan area; and

WHEREAS, the national recognition was enhanced by the Founder and President, Mr. O.J. "Bud" Royer, who was a leader that exemplified qualities of integrity, creativity, courage and fortitude; and

WHEREAS, Transitional Services, Inc. has offered and continues to offer services that assist mentally disabled adults to maximize their potential and to live successfully and

satisfactorily in the community; and

WHEREAS, Transitional Services, Inc. continues to pursue a mission for persons with psychiatric disabilities and/or mental retardation that involves:

- choosing their own living situation;
- living in normal, safe, decent and affordable housing;
- having support and services they want or need;
- having meaningful work and social relationships;
- participating in the community where they reside; and

WHEREAS, Transitional Services, Inc. is celebrating its quarter century of existence and service to people with a "Majestic Cruise" to initiate a futuristic mission for the next 25 years "helping people grow to their potential", to be held on September 24, 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes Transitional Services, Inc. on their 25th Anniversary and encourages the citizens of Pittsburgh and Allegheny County to join in celebration of this landmark anniversary.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne presented

No. 3141 Resolution providing for the transfer of funds totalling \$20,000.00 from Code Account 1150, Outside Repairs - Contract, to Code Account 1145, Oils and Greases; both Code Accounts are within the Bureau of Fleet Management, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 3142 Resolution authorizing the URA of Pgh. to acquire that property in the 9th Ward of the City of Pgh. owned by John T. Joyce and Bernadette Joyce, and designated as Block and Lot 49-C-135A (274 Forty Sixth Street) in the Deed Registry Office of Allegheny County, for the fair market value, under the Residential Land Reserve Fund. The property is being acquired for resale to a redeveloper who will rehab. the structure. This property has been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 7)

Also,

No. 3143 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and John Caiaccia for the sale of Block 49-C Lot 135A in the 9th Ward of the City of Pittsburgh. The purchase price is \$3,000.00. The redeveloper plans to rehab. the structure. The property was acquired following certification as blighted property by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 7)

Also,

No. 3144 Resolution authorizing the URA of Pgh. to acquire that property in the 1st Ward of the City of Pittsburgh owned by Ruth M. Shapiro, and designated as Block and Lot 2-M-211-C (1628 Watson Street) in the Deed Registry Office of Allegheny County, for the fair market value, under the Industrial Land Reserve Fund. This property will be sold to the redeveloper (Belmont Contract Furniture) for use as a courtyard. The lot size is approx. 899.96 square feet. Daniel J. Waldman and Morris A. Waldman own Belmont Contract Furniture located at 1621 Forbes Avenue. This acquisition will complete their assemblage of vacant parcels next to their building enabling them to secure and beautify the area. This property has been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (Council District No. 6)

Also,

No. 3145 Resolution authorizing the URA of Pgh. to condemn and acquire properties for the fair market value, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. These properties will be sold to the Redevelopers to use as a sideyard or rearyard. (Council District No. 5)

Also,

No. 3146 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and various redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS/REAR YARDS). (Council District No. 5)

Also,

No. 3147 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for a grant of Strategy 21 funds in an amount of \$17,002,195.00 to the Pennsylvania Department of Community Affairs for the design and development of the Carnegie-Mellon University Research Facility at the Pittsburgh Technology Center. The grant will be used for the design and construction of an 80,000 square foot facility to house selected CMU research programs. Construction is scheduled to begin in mid-1992 and to be completed in early 1994. (Council District No. 5).

Also,

No. 3148 Resolution authorizing a Cooperation Agreement with the URA of Pgh. providing for the designation of \$17,002,195.00 in private funds to be invested in the Pittsburgh Technology Center as the local matching share for a grant applied for in an application for Strategy 21 funds filed with the Pennsylvania Department of Community Affairs. (Council District No. 5)

Also,

No. 3149 Resolution authorizing the URA of Pgh. to enter into a Grant Agreement with Lawrenceville Development Corporation for an amount not to exceed \$70,000.00, payable from the Neighborhood Housing Fund for public improvements and site improvements to facilitate the residential development at Penn Avenue and Spring Way in the 6th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Millions presented

No. 3150 Resolution providing for the issuance of a \$1,103.00 warrant in favor of Percy Castaphney, for automobile damage when struck by a City police vehicle on West Carson Street, payable from Code Account No. 46, Judgments.

Also,

No. 3151 Resolution providing for the issuance of a \$787.00 warrant in favor of Edward H. and Zola E. Kern in settlement of claim for sidewalk damage at 98 Linnview Avenue, caused by City tree roots, payable from Code Account No. 46, Judgments.

Also,

No. 3152 Resolution providing for an Agreement or Agreements with a qualified third party administrator for the administration of the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law for a period of three years beginning Jan. 1, 1992 through Dec. 31, 1994 at an annual cost not to exceed \$15,000.00, subject to annual budget appropriation, chargeable to and payable from Code Account No. 44-1, Unemployment Compensation Fund.

Also,

No. 3153 Resolution repealing resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 3154 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance

with Act No. 171 of 1984.

Also,

No. 3155 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3156 Resolution authorizing the URA of Pgh. to file a declaration of taking on behalf of the City of Pgh. to acquire reversionary interests owned by the heirs and successors in title of the Lloyd Estate in the property acquired from CSX for development of the Public Safety Complex, for the construction of a building to house courts and other municipal offices and for utility and vehicular access thereto and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto, 1st Ward, City of Pgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Regan presented

No. 3157 Resolution providing for the issuance of a warrant in favor of Commonwealth of Pa.-Pa. State Police, Information Systems Division, 1800 Elmerton Avenue, Harrisburg, PA 17110, in the amount of \$3,737.40 in payment for the leasing of the terminal located at the Emergency Operations Center, Communications Section, chargeable to and payable from Code Account CCIISP, Misc. Services, Bureau of Administration, Dept. of Public Safety.

Also,

No. 3158 Resolution authorizing the transfer of \$2,500.00 from Code Account 1475-1, Premium Pay, Dept. of Public Safety, Bureau of Building Inspection to Code Account 1479, Refund of Permits, Dept. of Public Safety, Bureau of Building Inspection. This transfer is necessary due to insufficient funds in Code Account 1479.

Which were read and referred to the Committee on Finance.

Also,

No. 3159 Resolution changing the name of "Field 6" in Brighton Heights Park to "Cameleus F. Sanguigni Field".
---(SPONSORED BY MR. REGAN)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ricciardi presented

No. 3160 Resolution authorizing the transfer of funds in the amount of \$3,500.00 from Code Account 1829, Misc. Services to Code Account 1828-1, Premium Pay, all in the Department of Parks and Recreation, Point State Park Division. This transfer is necessary to pay premium pay for the remainder of the year.

Also,

No. 3161 Resolution transferring the aggregate amount of \$125,000.00 from various code accounts to Code Account 1825, Swimming Pools, Wages, Regular & Temporary Employees, Dept. of Parks and Recreation. This transfer is necessary to pay wages for the swimming pools for the remainder of the year.
(PRIOR APPROVAL GRANTED)

Also,

No. 3162 Resolution transferring the aggregate amount of \$260,000.00 from various code accounts to Code Account 1808-9, Workers Compensation in the Dept. of Parks and Recreation. This transfer is necessary to enable the Department to pay compensation invoices for the remainder of this year. The Department has experienced an extraordinary amount of medical bills which were not anticipated. This resolution shall be in effect upon the signature of the Mayor.

Which were read and referred to the Committee on Finance.

Also,

No. 3163 Resolution amending Res. No. 584 of 1991 entitled "Providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Dept. of Parks and Recreation, by increasing the allocation by \$3,500.00 (from \$600,000.00 to \$603,500.00), chargeable to and payable from Code Account SSFSP, Special Summer Food Service Program in the Dept. of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 3164 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of July 31, 1991.

Also,

No. 3165 Communication from Barbara

Hafer, Auditor General, Commonwealth of Pennsylvania, submitting the audit report of the Liquid Fuels Tax Fund of the City of Pittsburgh, Allegheny County, for the period January 1, 1988 to December 31, 1988.

Also,

No. 3166 Petition from the East Liberty Concerned Citizens Corporation, requesting a public hearing to discuss implementation of a curfew, use of beat patrol officers, and other safety plans for the Larimer Community.

Which were severally read, received and filed.

UNFINISHED BUSINESS

The Chair, Pro tem:

I would ask for a motion to receive and file a communication from Mayor Masloff in relation to her response and our request regarding the Fire Study and her appearance in Chambers.

Mr. Coyne:

So moved.

Mr. Ricciardi seconded the motion.

Michelle Madoff:

Would you like to summarize it for the listening public?

The Chair, Pro tem:

I would suggest that there be some discussion under Motions and Resolutions at the end of the meeting.

Which motion prevailed.

(COMMUNICATION FROM MAYOR MASLOFF REGARDING FIRE STUDY)

September 23, 1991

President and Members of Council
414 Grant Street
City-County Building
Pittsburgh, PA 15219

Dear President and Members of Council:

In response to your request of September 17th, let me clarify the confusion that is currently being generated by those who would politicize an important public safety issue.

Item One - The Fire Study is being done at Council's request.

The Fire Study is being done with the funds that City Council (not the Administration) added to the budget at the direct request of the Fire Union. The current rhetoric makes it appear that Council was opposed or unaware of this fact.

Item Two - The Fire Study is not late.

Despite Councilman Ferlo's outrageous remarks, the Fire Study not only has not yet arrived, it is not even late. The actual contract was signed on March 11, 1991. The contract provides that the final report will be completed within 220 days from the signing of the contract. Thus, the final report is due on October 16th.

Item Three - No one is hiding the Fire Study.

No one is more anxious than I am to receive the Fire Study. Director Cannon is attempting to establish a date when the consultants will bring in their draft report. Right now he expects that date to be within the first 10 days of October. Once that date is established, Councilman Wagner (as a member of the

Steering Committee) will be asked to attend the meeting along with Fire Union President, Joe King.

As soon as the study becomes available it will become public. At that time, any member of the Administration will be available to discuss it.

Since the report is not yet available to discuss, I will not be attending the meeting on September 25th. At this time, there is nothing to discuss. We respectfully request that Council await the study's findings before the public dialogue begins.

Very truly yours,

Sophie Masloff
Mayor

(END OF COMMUNICATION)

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3167

Report of the Committee on Finance for September 19, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3094

A Resolution entitled, "Resolution providing for the transfer of funds totaling \$114,000.00 (one hundred fourteen thousand dollars) from Code Account 1188, Index Code 118809, Recycling Services, Department of Environmental Services, as follows: \$57,000.00 (fifty-seven

thousand dollars) into Code Account 1147, Index Code 114702, Material, Department of General Services, and \$57,000.00 (fifty-seven thousand dollars) into Code Account 1149, Index Code 114900, Tires, Tubes and Chains, Department of General Services. This transfer is necessary to cover the cost of gas, oil, and maintenance of the recycling vehicles."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Ferlo
Mr. Milliones	(Pres't Pro tem)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3099

A Resolution entitled, "Resolution providing for the issuance of a \$8,750.00 warrant in favor of Michael F. and Cathynn Belliotti for property damage."

Which was read.

Also,

Bill No. 3100

A Resolution entitled, "Resolution providing for the issuance of a \$940.79 warrant in favor of Duquesne Light Company for property damage."

Which was read.

Also,

Bill No. 3101

A Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Joyce L. Brown in settlement of claim for property damage."

Which was read.

Also,

Bill No. 3102

A Resolution entitled, "Resolution providing for the issuance of a \$975.00 warrant in favor of Peter F. Muscio in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

A yes:

Mr. Coyne
Mr. Darkins

Mr. Regan
Mr. Ricciardi

Michelle Madoff
Mr. Milliones

Mr. Ferlo
(Pres't Pro tem)

AYES 7

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3103

A Resolution entitled, "Resolution providing for a professional services agreement or agreements for the administration of the City's Worker's Compensation Program for a period of three years beginning January 1, 1992 and ending December 31, 1994 and providing for the payment of the cost thereof, subject to annual appropriations, at an annual cost not to exceed seven hundred thousand dollars (\$700,000.00), chargeable to and payable from Code Account 44, Worker's Compensation, Index Code 004408, Department of Finance."

Which was read.

Also,

Bill No. 3104

A Resolution entitled, "Resolution authorizing the transfer of one hundred and fifteen thousand dollars (\$115,000) from Code Account 1457-9, Index Code (145797), Police Worker's Compensation to Code Account 1470-9, Index Code (147090), Fire Worker's Compensation, Bureau of Fire, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Ferlo
Mr. Millionses	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3105

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of September 1991."

—(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Ferlo
Mr. Millionses	(Pres't Pro tem)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 3168

Report of the Committee on Public Works for September 19, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3112

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the reconstruction and improvements to the islands and curbs at the intersection of Thomas and McPherson Boulevards, and providing for the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Ferlo
Mr. Millions	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 3169

Report of the Committee on Planning, Housing and Development for September 19, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2750

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, 'Zoning', Article III, Chapter 921, Section 921.02, Zoning District Maps No'd. 6 & 7, by changing: From 'R4' Multiple-Family Residence District to 'C3' Commercial District all that certain property bounded by: PRESSLEY STREET; NASH STREET; the 'C3' Commercial District boundary line between EAST OHIO STREET and AVERY STREET; the westerly right-of-way boundary of INTERSTATE 279 located between EAST OHIO STREET and PRESSLEY STREET, 23rd Ward." --(SPONSORED BY MR. REGAN)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Ferlo
	(Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2908

A Resolution entitled, "Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances, those certain structures known as 901-911 Bingham Street, including all property designated as Block and Lot Number 3-G-246, located in the 17th Ward, City of Pittsburgh."

Which was read.

Mr. Ricciardi:

Mr. President and colleagues, I believe on Bill 2908 the majority of us here today believe in historic designation of the MacIntosh buildings for an architectural, planning and historical reasons. Last week and throughout this

entire process the South Side community organizations and myself spoke to the relevance of the buildings. But I think today we're talking about another issue on the table and that's the Pennsylvania Supreme Court ruling and how that affects our ordinance here in the City of Pittsburgh.

As I have stated in the past, Mr. President, I firmly believe that that ruling does not apply to our ordinance. There is a marked difference between the Philadelphia ordinance and the Pittsburgh ordinance, and that is one of due process. Here in the City of Pittsburgh, through historic designation, we have due process. We have public hearings at the Historic Review Commission, at the Planning Commission. We had a post agenda here at Pittsburgh City Council, and we had a public hearing here at City Council. And at that time, the owner of the property, Mr. Brant, during that due process, spoke and said that he did not object to historic designation of those buildings.

We are aware that we have received correspondence from his attorney saying that he now objects to the historic designation of the buildings. And I have my own suspicions. But I do know one thing, from a public policy standpoint, that we had a process and during that process, he spoke in favor of historic designation by not opposing to it.

At the Planning Commission in front of 100 people, he stood up and said that he did not oppose the historic designation. Here at a post agenda hearing he spoke to myself and another colleague and said that he did not oppose the historic designation.

So, let's look at it. The Historic Review Commission and the staff of the Planning Commission recommends those buildings historic significance. What enters into the picture is the Pennsylvania Supreme Court ruling. I

firmly believe that it does not apply here.

What protection would our neighborhoods have if every time we make a policy an attorney screams, "I'm going to sue!" and we back down from that neighborhood? What protection are we leaving the neighborhood?

I would like to end by saying that we would not be in this position if it wasn't for the lack of leadership by the Mayor's Office. Back in 1989 the community groups came to the Planning Department and wanted to file for historic designation, not only for those buildings but for an entire district. They were told then to please hold off because we were going to review our ordinance, have another ordinance. And they held off and they were betrayed.

In 1991 a developer came to the Planning Department and said that he had ideas for development of that site. And he was told, and he said this himself, that he was told not to meet with the community groups "because there was no reason to".

If I may say, those buildings again only represent five percent of the site. And development can happen on that site. It's not historic preservation versus development; it's historic preservation versus 30 parking spots.

Again, I thank my colleagues for their past vote and hopefully they will keep their affirmative vote here today. Thank you.

Michelle Madoff:

I must confess that I was not as well informed as I thought I should be. After reading the editorial in the papers, I thought I had misunderstood. It turns out I didn't misunderstand.

The Chair, Pro tem:

That will frequently confuse you.

Michelle Madoff:

You just confused me. You got me off my trend of thought.

Indeed, the issue is over 30 parking spaces. I believe the South Side Local Development company and the historic designation in that area has acted very responsibly. But after speaking to the Law Department, I was very concerned that I might be voting to obstruct development. Initially I told the Law Department that I was going to ask to hold it a week.

I spoke to Gene Ricciardi and I have received a letter that just arrived today. We can make copies, it's addressed to me and I don't think anybody else got a letter. If they did, please let me know.

"Dear Michelle:

The South Side Local Development Company supports the nomination of the MacIntosh-Hemphill Building for City historic designation due to both the architectural and historical significance of the buildings."

I'm going to skip what they go on to say because it's redundant, but they say:

"Should market conditions or other economic considerations prevent the ability of any developer to economically redevelop these buildings over a reasonable period of time, the South Side Local Development Company would support a request to the Historic Review Commission for demolition of the building."

Now I don't think anybody can bend over

backwards any more than this letter indicates. It shows a complete willingness to work with reality within the real world.

And Mary Conturo said, her belief off the top of her head is that it doesn't really let the City off the hook from having to obtain the property but, indeed, it does indicate that it may be a little easier on the City to negotiate.

I'm going to stick with my vote.

Mr. Milliones:

Mr. President Pro tem, I can't support the legislation because I think it really puts the City at risk in terms of being indebted to both the buyer, the purchaser-developer, as well as the Pension Board who will eventually own this.

It seems to me that given the state of the budget today and the cutbacks that we anticipate in the coming months and indeed next year, that for us to take on this liability is simply not worth the risk, particularly when we have had advice from our Solicitor who has informed this body that, in fact, we may incur such liability for the future.

I think we're talking about having to pay not only for the purchase of these buildings, but also engineering and architectural fees, and for other professional services and other losses that both the developer and the buyer and the Pension Board perhaps will bring to the table relative to some kind of settlement.

So, it simply seems to me that it's not worth the risk to the City, particularly when we have been advised. One can have any opinion relative to what the Supreme Court will or will not do. I can say, though, that I'm certainly not willing to take that risk and incur further debt on this municipality.

So, I would urge my colleagues to vote against this and I would agree with the Solicitor that the letter you received this morning, Michelle, is not germane to the bills on the table. Furthermore, it seems to me that even to delay this puts the City further at risk relative to suits for the future.

Mr. Coyne:

Mr. President, I have to agree with Councilman Milliones. I feel that the action this Council is contemplating today is in strict contrast to the recent Supreme Court decision and we are putting the City at risk.

We all state over and over again that we're concerned with the budetary cuts and things that are coming up facing the City with the next budget year, and yet here we go taking the property of a private owner, which to me seems a clear violation of their rights, and putting the City at more risk for financial loss.

Mr. Regan:

I'd like to commend my colleague, Mr. Ricciardi, for pushing ahead with this project. I think that as you, Mr. President Pro tem, know about the tearing down of the Syria Mosque, we can't afford to lose any more buildings in this City of ours, especially buildings that have a design and add to the culture of this City.

I commend Councilman Ricciardi and the people of the South Side for pushing on with this project. I wish him well and I'm going to vote in the affirmative.

Michelle Madoff:

I just want to respond to my colleague, Mr. Milliones, that I disagree respectfully when he says that this is not germane to the legislation. Mary Conturo said it was germane. She said that

it lessens the risk.

Frankly, let's deal in reality. This is a very, very, very, very valuable piece of property. It will be developed and it will be developed without City dollars and I don't think we're ever going to get into litigation on it.

Mr. Cohen:

Mr. Ferlo, I'll be brief. I think this is a difficult decision, I really do. And I think that Councilman Milliones and Councilman Coyne make a good point. There is a risk involved here. We have to be aware of that. That's the reality. In my view, I think it's a risk worth taking.

There are some important distinctions between the Philadelphia ordinance and the City of Pittsburgh's ordinance. Councilman Ricciardi outlined one of them; I think there are several others as well. One is that the Historic Review Commission in Philadelphia acts as both the judge and the lawyers and the parties. They act as everything in the historic preservation process.

Here in the City of Pittsburgh, we have a very different process. Hopefully a court will see that as a difference that has an important distinction.

The second difference is that the Philadelphia ordinance allows for the restrictions on the interior use of buildings. That is that you can actually designate the interior of a building in Philadelphia whereas you can't do that here. That limits the use very much and I think is a very important difference.

The Supreme Court decision was a serious blow, I think, to historic preservation. I think what we need to do is take a step in support of our own ordinance and take a risk. It is a risk, but I think that in areas of public policy like this, it's a risk where leadership has to be taken in favor

of historic preservation.

Mr. Ricciardi:

Mr. Ferlo, I would like my comments brought forward on this, please.

The Chair, Pro tem:

I would ask that my colleagues please support the legislation and I'd like my comments brought forward also.

(REMARKS ON FOLLOWING PAGES)

(MR. RICCIARDI'S COMMENTS ON BILL NO. 2908-Thursday, 9/19/91)

Mr. Ricciardi:

Before I begin, I want to acknowledge the assistance of the South Side Local Development Company and their staff in researching and composing my opening remarks today.

As you are aware, the Mackintosh Hemphill Buildings are located on 3.7 acres of riverfront site at 901-911 Bingham Street, South Side, adjacent to the Tenth Street Bridge. The Macintosh Buildings represent 5 percent of the total site and are located within a portion of the South Side's national historic district, which contains the largest concentration of contributing historic structures.

The entire site is owned by Earl Brandt of Brandt Distributing, South Side, who is not opposed to the historic nomination. The buildings were nominated for historic designation from the South Side Planning Forum on March 7, 1991. The nomination itself was based on the following points concerning the buildings:

First, they are exceptional in their representation of early industrial Pittsburgh;

Second, they are, perhaps, the only examples of 19th Century industrial, administrative and manufacturing buildings in the City of Pittsburgh;

Third, they are unique and exceptional examples of Italian industrial style in Pittsburgh;

Fourth, they form an important corner for the existing National Register district and for the future city historic district;

Fifth, they are in excellent condition, and a wide variety of resources exist to facilitate the rehab as useful structures under the protection of the historic structure designation.

The Historic Review Commission has recommended that City Council designate these buildings as city historic structures. The HRC staff believes that these buildings are among the best of a handful of surviving examples of free standing office structures associated with manufacturing plants in Pittsburgh, and the only examples built in Italian renaissance style.

Unfortunately, our Planning Commission did not carry out their mandate of properly reviewing the planning component of the consequences of nominating the buildings as historic structures. The record clearly shows that the Planning Commission's negative recommendation to Council was based on the recent Supreme Court ruling and not on the planning components of historic designation.

If the Planning Commission had conducted a proper review,

their minutes would have contain the following points:

The site is attractive for purposes of development and encourages a variety of realistic possibilities with respect to both reuse of existing buildings and development of vacant land;

Designation would not materially interfere with the reuse of the site;

Buildings account for only 5 percent of the site area. The buildings are highly adaptable for new uses, either residential or commercial;

The designation would maintain an important existing urban fabric and character;

The designation will promote the conservation of established residential uses in the neighborhood and may promote further residential development by providing a buffer between the Bingham streetscape and potentially non-conforming and adverse uses on the balance of the site.

The character of the surroundings is varied; industrial toward the river, mixed along the south of Bingham, where the character is very urban in a sense of being a more traditional neighborhood.

A recent decision issued by the Supreme Court of Pennsylvania applies specifically to Philadelphia's ordinance. It may not it be equally applicable to Pittsburgh's ordinance, which is considerably different.

Please keep in mind that our City Solicitor has not rendered a formal opinion to the constitutionality of the current city ordinance. Let me take this opportunity to put one of our Solicitor's concerns to rest. It is my understanding from recent correspondence to Mr. William Grant who held an option on the parcel that Mr. Grant has defaulted on an agreement of sale on the Mackintosh property. Mr. Brandt, the owner, has elected to terminate the agreement of sale, which now ends Mr. Grant's role as the equitable owner of the Mackintosh buildings on site.

Permitting the demolition of the Macintosh buildings when a viable alternative exists not only represents the loss of an important historic resource to the South Side, but an important link to the history of Pittsburgh's iron and steel industry, but certainly opens the way for future developments threatening other vulnerable resources.

In summary, there are lessons to be learned from our experience with this project and the historic designation process. First, for real estate developers, the next time you hear city officials tell you not to meet with a Pittsburgh neighborhood group before building in their community, ignore them and make the community part of your approval process.

Second, for city development policy makers, including the

Mayor's staff, stop trying to act as the sole broker for the city's neighborhoods. There is an important central role in the city in neighborhood development, but you are not the only ones at the table.

Third, the neighborhood development groups and community organizations, it is not enough to say, "Not in my backyard," "No change is needed here," or "We want to file for historic designation."

I have been impressed by the constructive role of the South Side Local Development Company in formulating reasonable alternatives to the proposed development and their willingness to negotiate with everyone concerned. They serve as a model for community groups across the city.

Finally, for the trustees of pension funds which invest in local development projects, please understand that while your concerns are understandably economic, there is a great deal more to neighborhoods in Pittsburgh than a healthy rate of return or a job. For you it is a real estate project; for those of us in the neighborhood, it is our home.

Today I would like to respectfully ask my colleagues and Mr. Chairman, Mr. Milliones, for an affirmative vote on this bill. Thank you for indulging me on this matter.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

(MR. FERLO'S COMMENTS ON BILL NO. 2908-Thursday, 9/19/91)

Mr. Ferlo:

I think it is very important to support this legislation for several reasons, and I will be very succinct.

Solely on the issue of the architectural contributions that the buildings do present, both the thorough review of the Commission's staff and in particular the contribution made by Mr. Eversmeyers in terms of his conveyance of this information to the full commission, as well as debate and citizen input before the Commission, it is very clear that the buildings in question do meet at least two of the standards outlined under the city's Historic District Ordinance.

Secondly, and to me even equally as important, is we can have our cake and eat it, too. We have an opportunity here not only to make available these buildings for potential development by an organization within the South Side community that has established a strong record in economic development activities, and that is under the leadership of the local development corporation in cooperation with many of the South Side neighborhood groups, and that development that is potentially possible does not have to be at jeopardy of the rest of the site being developed. So again, if anything, we can get two bucks here; we can have development on the vacant site and we potentially can have development in the two buildings in question.

I would say just purely on the issue of economic development and the matter of policy regarding City Council, I think we should support the designation solely on that basis alone.

A third element is the fact that now, because of the time lines that have been presented and outlined by Mr. Ricciardi, we have the property reverting back to the original owner. The sales agreement and equitable relationships that existed prior to our recess, apparently had gone by the way side. As Mr. Wagner had pointed out some time ago, it might be possible now that the river front parcel can return -- can be returned to the overall parcel that is being developed. As you remember, prior to the recess that parcel had been separated from the development site, much to the dismay of Mr. Wagner, myself and others who have spoken about the issue. We felt strongly that the best viable option for that site for the city would include some riverfront activity.

Lastly, and I will close, speaking in relation to buildings trades, I thought the gentleman who spoke from the South Side had indicated very clearly that a large percentage of

development activities by the group involved union labor, involved cooperation with building trades locals. And as far as I am concerned, I hope there will be building trade participation in the renovation of the two buildings historically designated, as well as the rest of the site.

So I hope we approve this.

(End of remarks)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Mr. Ferlo:

In terms of the Supreme Court ruling, I think if we look at the situation of late that the court itself has agreed to receiving a petition from advocates of preservation to rehear their earlier decision, which is a rarity indeed. I think it indicates that there is some ambiguous notion and possibly some disagreement now arising on the court itself. I think the fact that they're rehearing an earlier case regarding the so-called taking of property could potentially make more real the arguments that we eventually will have to possibly make before the high court.

Mr. Regan, I would ask that you control your bird there.

Mr. Regan:

Sorry, Mr. President Pro tem.

The Chair, Pro tem:

It's the first time I'm up here and you have to upstage me with an owl.

But more importantly, we have before us, and we've learned from the public hearing, that we have a community development corporation and groups in the South Side that do indeed have a strong track record of developing their community and have done a number of viable economic development initiatives and they want the opportunity and the time proposed to do this for the two buildings.

Secondly, and I'll close, is the fact that this community group in the past has worked with the unions and the building trades have done renovations at prevailing rate.

Thirdly, as Mr. Wagner pointed out, the earlier agreement to sever the riverfront property from the main parcel, I think is a mistake, as Mr.

Wagner talked about at the public hearing. Maybe in the future we can return that important parcel to the overall development.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Michelle Madoff

Mr. Regan
Mr. Ricciardi
Mr. Ferlo
(Pres't Pro tem)

AYES 6

NOES 2

(MR. COYNE AND MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3097

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the County of Allegheny for authorization to convert the existing four-story structure located at 2408 FIFTH AVENUE, into a community correctional/drug and alcohol treatment facility for a maximum of 60 participants (work release center); with parking to accommodate five (5) automobiles, on property zoned 'C3' Commercial District, 4th Ward."

Which was read.

Also,

Bill No. 3098

A Resolution entitled, "Resolution amending Resolution No. 608, effective June 25, 1991, entitled 'Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1991-1992 Community Development Block Grant Program; and providing for the payment of the costs thereof,' to increase the amount of the grant by \$729,000.00 to \$9,274,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Ferlo
	(Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Milliones:

Mr. Ferlo, I think that this Chambers is a special place. It is one that should be a place of public debate and discussion. But it is also a place for decorum, and I resent, I'm embarrassed, that Mr. Regan would use this place as a demonstration. I think it's fine to demonstrate, as one knows that I have done much of that in my day. But inside City Council Chambers is not the place that it should occur; it should occur outside these doors.

I just think that we should respect these Chambers a little more than the lack of respect that we have seen here this morning.

Mr. Ricciardi:

Just on that concern, Mr. President, I would hate to see the discussion go on long and legitimize it. But I do agree there is certain protocol to be followed most of the times, but in a case like this, an issue that is so important to the North Side, and a case that showed what publicity can do for the Aviary over on the North Side.

There was no doubt in my mind that that building, that facility, that institution was closing. But because of decent publicity, I think that Mayor Masloff has changed her mind because of that and I think it's because of things that Mr. Regan has done, including this right here. I don't think it interfered with anything at all.

I congratulate the North Side groups and Mr. Regan for working hard, publicizing the closing of that institution and keeping it open.

Mr. Regan:

I would first of all like to say that I am absolutely honored that a man as distinguished as

Councilman Milliones would even take time out to mention that I brought somebody in here. I have seen Council meetings disrupted, and not by animals but by some of us, and I've been guilty in the past.

I'm an elected official the same as Mr. Milliones, and I represent the people of the North Side, like he does, and one of the problems that we're having is the closing of an institution over there that is in the process of being talked about as closed that we can't afford to close if we're going to be a first class city in the United States.

I asked the Mayor not to take it out on the birds. If you're going to take it out on somebody, don't take it out on these poor little guys.

Here's a guy named Egbert who is an Eastern Screech Owl. Brother Egbert was born and raised on the North Side, so he's really one of us. He's a Pittsburgher.

We have a distinguished bird man over there by the name of Lindsey Clack who is from Australia. He's one of the foremost bird people in the world. He turned down jobs in many other places to stay in the City of Pittsburgh, including Disney World.

There are only two aviaries in the United States that are not connected with the Zoo and our Aviary on the North Side is one of them. I think that the problem that we have there is marketing and publicity. The Aviary got more publicity this last week than they have had since I've been on City Council. Nobody knows about the Aviary on the North Side because it's not properly marketed or its not properly publicized.

I don't bring this little guy in here to disrupt the meeting. I bring this little guy in here to show what is over at the Aviary. It's one of the finest collection of birds in the world. There are 600 birds there and we usually have up to 800

birds. There's over 250 different species, and 20 endangered species are over there on our North Side Aviary. We even have a Guam King Fish. There are only 30 of those in the whole world and none of them living in the wild and we have one of them over on the North Side.

We have 100 volunteers over there that are dedicated and donate their services at no cost to the City of Pittsburgh to help work with the birds and promote them.

They started a roof over there in July. Of course, we went over, Councilman Ricciardi and myself. The scaffolding is still there since July. It costs money to have that scaffolding up there. I feel that it's a disgrace to the City of Pittsburgh to call ourself a first class City and try to close down that Aviary.

We're boarding birds in Cleveland. They had to put birds outdoors because of enclosing this marsh area, and now it's getting cold out and we're going to have to put those birds back inside. This isn't complete in there but they'll be able to put them inside. Absolutely nobody's home or nobody's business would look as bad as that Aviary looks, and it represents the City of Pittsburgh when they walk in there.

I ask today, Mr. President Pro tem, for a public hearing so that we can talk about maybe privatizing this place, that we can have a partnership between the City of Pittsburgh and the neighborhoods. Instead of talking about closing things and tearing down things, I think we should talk about how we can get together as a City and form a partnership with either neighborhood organizations or privatize a place like the Aviary and publicize it and make it work. I'm sure it can. We have to change the fee system over there.

There's going to be millions of people coming into that new Science Center. If we

properly promote it and put a package deal together with Three Rivers Stadium and the new Science Center and the Buhl Center and the Aviary, I think that we could do a job and make that facility pay for itself.

That facility is like two-tenths of the City budget. We pay more for one Pirate baseball player, and I'd like to congratulate them, by the way, for winning the Championship, but we pay more for one Pirate baseball player than we do for these poor little guys over at the Aviary.

The Chair, Pro tem:

There's a motion on the floor to have the Council President conduct a televised public hearing on the Aviary.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair, Pro tem:

We'll communicate that to Mr. Wagner.

Mr. Regan:

I apologize to my good friend, Councilman Milliones, but I have an altogether different opinion. When I brought Brother Egbert in here, it wasn't to disrupt anything; it's so that this little guy still has a home on the North Side.

Michelle Madoff:

Maybe we should bring Baby Bambi in here too.

I have some great concerns, as to my colleagues and do many of the citizens, particularly people in the North Side.

I think that Councilman Regan makes some very valid points about marketing. The Aviary has never been marketed properly and I think it is an asset to the community.

But I think we need to deal in the real world, so let me give you some real world numbers. Without question, we should have been privatizing the Zoo, the Aviary and the Conservatory. It is inappropriate, it is wrong, for an Administration to come out and say that in six weeks we're going to have to look at shutting this down. Sophie did not say that she was shutting it down but she has the right to look and review everything and the clear implications we're looking at as to what we're going to do.

Let me give you some information. For those of you who have not been listening intently to Michelle Madoff all these years, or thought that I didn't know what I was talking about, but starting back in about 1979-80-81 I started to talk about the fact that the Zoo, the Aviary and the Conservatory were being used three-quarters of the time by non-City residents. Three-quarters of the people using the Zoo, the Aviary and the Conservatory were non-City residents. And the people using it from the City were, of course, the other quarter.

At one point out of utter frustration back in '86 or '85, I sent letters to the County Commissioners and, believe it or not, they actually sent a representative. I think at that time it was Jim Flaherty who showed up in these Council Chambers and said they would not help us.

You remember that when we had the problem with the Pirates, in lieu of giving us direct funding, which they were not able to, they gave us supposedly some money for the Zoo.

I don't want to read my entire resolution but in '86 I suggested that we give the Zoo to the

Commissioners, to the County, as a gift.

My dear friend, Dick Caliguiri, who was also my neighbor, would say to me as we left this building, "Michelle, what are you doing? You're taking my Zoo away from me." And Sophie Masloff sat here every year that I brought this up and said, "Oh, we have to have the Zoo; we have to have the Aviary. I have to have everything."

Let me give you the numbers. The Zoo, the Aviary and the Conservatory, over the last five years have cost us in the neighborhood of \$26 million. City of Pittsburgh taxpayers. \$26 million. Not suburban taxpayers. And that's after we deduct the money that people pay to go in. Mr. Regan will jump at me and say, "But we have to bring people into the City and they pay to go in and that helps to subsidize it." I'm talking about after gate receipts. The City of Pittsburgh reaches into its pockets, its taxpayers, and we pay this money. And now we're talking about letting go of 135 jobs. 135 people may be unemployed in the City. At least 119 and the other jobs not filled. I think that's the numbers.

We have \$12 million sitting uncollected in water bills, of which the Director told me he could collect \$7 million if we had a day of forgiveness. I think we'd get more than that. How dare we talk about laying people off when we have this uncollected bill.

What about the tax dollars that haven't been collected? What about putting some more people on? It doesn't cost us anything to audit our collections of our taxes because they bring in ten times their salaries. It doesn't cost us anything.

How about stopping the negotiated bids on bonds which cost us more in basis points. The basis points are not acupuncture. Basis points means that we are like the bank and we're paying more in interest than we have to pay.

We need to get some sound fiscal management into the other side of this floor. I just wanted to shed some light on the numbers.

Yes, the Aviary is one of the lesser expenses, and I think that without question that could be immediately privatized and it could be done with the help of some foundations. That is not the big issue. But let's look at Bambi's hangout. I remember one year when I screamed about it; there was \$4 million in three years. The Capital Improvement Program from our end of it, not the foundation money, is \$14 million. What do you think about that? Where are my colleagues? Don't they think it was important?

We better start thinking about the real world. How about people before Bambi or your good friend?

Mr. Regan:

I would like to say this. We have a City Court that has been there for 20 years and Michelle Madoff has been a Councilwoman for 12 or 13 years. That's an absolute duplication of service. I proved with the figures that the City of Pittsburgh can save \$1.6 million a year and has squandered between \$30 million and \$40 million in the last 20 years. I wonder why nobody ever caught that. It's an absolute duplication of service. There's a savings right there.

I ask my dear friend, the great Councilwoman, that the Zoo gets to market and promote zero. The Aviary gets to market and promote not a dime. Now you tell me how you can run any kind of business with no money for promotion. It's impossible.

The Aviary has gotten more publicity in this past week than they have the year and a half that I've been here.

Mr. Ricciardi:

I believe Michelle raises some very good points, and that's looking at other revenue sources to fund regional facilities such as the Zoo. But not only should we look at the county, I think we've been looking at the state, but unfortunately our lobbying efforts in Harrisburg haven't been that successful.

In the meantime, it's very important for us to continue, or at least begin to market these facilities.

We have to take our hats off to the new Director at the Zoo. In the past we have always criticized the spectators. The people who go to the Zoo is 85 percent non-City residents but now it's 66 percent, which means that we've had a marked increase in City residents going to the Zoo.

But Michelle does touch upon some very good points and that's additional revenue sources for regional facilities. Unfortunately, this City Council, we've been asking for dialogue with the Administration on not just this but some other points. So, I would recommend to Michelle, and I would support her in her efforts, if we could open up the dialogue with the Administration hopefully at a post agenda hearing or even at a briefing.

The Chair, Pro tem:

On this point, first of all, I think all the points are well taken, not just the Aviary but certainly the points that Michelle has outlined. They certainly provide the focal point for our debate and discussion with each one of the Directors come budget time for next year's budget.

However, in light of what Michelle has outlined, as well as the debate on the Aviary, in

addition to the hearing specifically on the Aviary and what is happening in this interim period, at least as one elected official I have to resent what I see going on right now in City Hall. I can describe it succinctly as financial anarchy. You know, things are happening and we have to read them every morning in the Post Gazette.

We are an elected body that has approved the budget in the previous year. Somewhere along the line, revenues did not meet the anticipation that we budgeted, and all of a sudden we have chaos in City Hall. We have the Aviary proposed for closing, we have pending layoffs of 150 individuals plus, rumors are afloat, morale in this City is the worst I've ever seen in the 20 years being active in community politics here in the City of Pittsburgh.

I would ask very strongly and I would ask Mr. Regan, Mr. Ricciardi and others, to entertain a motion that we very strongly need a face to face meeting with the Administration in the next few days regarding this interim financial situation. Even before next year's budget proceedings for the 1992 budget. I'm talking about what steps the Administration is taking right now, whether it be the Aviary, whether it be the proposed layoffs, rumors are afloat and I think we, as the Board of Directors of the City, as the legislative body that actually formulated the budget, are owed an explanation and a face to face meeting.

People look to us. I find it embarrassing every day walking down the street and people ask me questions about what's going on in City Hall with the budget, and here we are as elected Councilmembers not being informed. I would ask that we urge that there be a meeting with the appropriate individuals. I don't find it incidental that this morning's headline talks about layoffs and no tax increase the same day that Council President, Mr. Wagner, and the Administration are in New York being interviewed by the rating agencies.

I think we are owed an explanation; more importantly, I think the public is owed an explanation. And upon return of Mr. Wagner I would ask that we convene very quickly a meeting with the Administration so that they can lay out and present their scenario regarding any financial cutbacks in this interim period.

Michelle Madoff:

I would like to conclude that I have a folder about that high with material on the Zoo, the Aviary and the Conservatory and please, any of my colleagues who would like to have access to it, make yourself at home.

I distributed, and I think Sarah has some copies for my colleagues, the Economy League's Study. I think we all got a report, but the one page it talks about the 1989 alone deficits for the three facilities as being over \$3 million, almost \$3.5 million.

But what I find very interesting is that in 1986, December of 1986, the Post Gazette interviewed 1,040 people and asked them about various and sundry things in Allegheny County. One of the questions was, "Should Allegheny County provide annual financial support for the Pittsburgh Zoo?" The answer was: yes - 88 percent; no - 12 percent.

I think there is a sentiment out there. When people deal with their conscience, people out in the suburbs, they love to bring their children to the Zoo, the Aviary and the Conservatory. And they say yes, we should pay for it. 88 percent of the people feel they should be paying for it. And what we do is just not find a way to enable them to pay their fair share.

I think the best example we can give, when people talk about subsidizing the Stadium and people say, "Well, I come in and I park my

car and I pay my ticket." Well, if a City resident goes, we pay our ticket, and we pay to park our car, and if we want a hot dog, we pay for the hot dog just the way the suburbanite does; but at the end of the year, at budget time, we sit here and reach deep into the pockets of the people and put people out of work and do whatever has to be done to meet the debt service of these facilities. But the suburbanite doesn't. The suburbanite enjoys and lives in this area. And when he goes out of town he doesn't say, "I live in Mount Lebanon" or "I live in Sewickley" or "I live in Fox Chapel". Where do you live? "I live in Pittsburgh."

I'm making the point that you are absolutely right. We need to have some dialogue with the Administration either in the Board Room open to the media, we have a round table discussion. It should be open and above board and we need to get some hard facts. And I would like you to look at my hard facts because I got them from our budget office and from the Economy League. Let's sit down and say, "Here it is; what are we going to do?"

I have talked to the head of the Zoo Association about privatization. He said, "Leave me alone. Don't do anything. Vote with us. We're going to privatize it." Have you seen it happen?

Mr. Ricciardi:

I apologize if I'm prolonging the conversation, but I agree with you, Mr. Ferlo. I believe we should have dialogue with the Administration, and I'd like to make this point clear, not for confrontation but for cooperation. It's very important for this body to work hand in hand with the Administration for the good of the City of Pittsburgh. But the Administration continues to act in a parallel fashion, in a tunnel vision fashion. It's not only going to affect her Administration but eventually it's going to affect

all taxpayers in the City.

So, if we could, when we make that request, I think it should say one of cooperation and not confrontation.

Mr. Regan:

Contrary to the Councilwoman, I would like to take my hat off to the suburbanites. They make up 80 percent of our entertainment business here. It's not their fault. The City of Pittsburgh has to publicize and we have to promote our own facilities.

Mr. Cohen:

Mr. Chairman, on the same issue. I want to take my hat off to the suburbanites too, but I don't want to take my hat off to the people who are in leadership positions, the elected officials who represent those suburbanites. That's the problem. There's a big difference here.

Every person that I have talked to, virtually everyone that lives outside the City of Pittsburgh and works in the City of Pittsburgh that I've come up to and explained our fiscal problems and said, "Would you be willing to spend \$5 or \$10 more to keep the Zoo, the Aviary and the Conservatory open, and to keep the City on its good fiscal footing?", they always say, "Yes." Every one.

I worked at a law firm full of those good suburbanites, Councilman Regan, and every one that I have talked to has said they'd be willing to put up a little extra money so that the City of Pittsburgh can continue to be, as Councilwoman Madoff calls it, the living room for the region. I agree with that. They will do it.

What we've got to do is put the County Commissioners, frankly, and the State Representatives who represent those

suburbanites, we've got to put their feet to the fire because, as a City who has lost its population and the City of Pittsburgh has become a hole in the donut, it's the people who represent those residents that have to come to the table with us and discuss it with us so that we can finally put this on a regional footing.

Those three things. But that's not all of it. The City of Pittsburgh right now is in serious financial shape. We shouldn't be taking shots at the Mayor's Office; we should be taking shots at the elected officials who represent those who live outside the City of Pittsburgh. We are all in this together, and until we come up with a solution that is regional in nature, we're going to have a disaster on our hands.

I sit on the task force for Phipps Conservatory and we have monthly meetings. One thing I've learned is, the Aviary is only the first. I am absolutely opposed to closing the Aviary and I don't think we need to do it. But whatever they come up with over there on the North Side, and what we come up with as a public-private partnership, really is just a band-aid. Phipps Conservatory could be next. The Zoo could be next.

As Councilwoman Madoff said, we have to look long term and we have to sit down with the County Commissioners, we have to sit down with the State Representatives and say, "You're in this too." Over half of the people who attend all of these facilities live outside the City of Pittsburgh, they work in the City of Pittsburgh, and it's about time they pay a little more.

And, Councilman Regan, I agree with you. They're good people and they'd be willing to pay some more but we have representatives, frankly, without backbone who aren't willing to listen to their own constituents and do what needs to be done, and that is, take a leadership role.

The Chair, Pro tem:

On the earlier issue of the Unfinished Business, we were in receipt of a letter from Mayor Masloff in relation to the Fire Study which all Councilmembers have received.

I do want to dispute one notion, and that is that the Fire Study is not in the hands of the Administration. The Mayor has been misinformed in relation to her letter to Council. The contract signed for the so-call Fire Study was signed January 24th. She makes reference that it will be 220 days from the signing of the contract that the final report would be ready. That 220 day period would actually be September 1st and not October 16th, as she suggested.

Secondly, I would call Councilmembers to review the signed contract, which the Mayor herself signed. On point two, the project time schedule, this is in relation to the Fire Study, I'd like to read the following:

"The consultant shall adhere to the following schedule: The Part One Report shall be submitted to the City within 90 days. The Part Two Report shall be submitted within 180 days of the January 24th agreement."

The Mayor makes reference to my comments being outrageous; I don't think they are. I think, indeed, preliminary reports as well as the final report are in the hands of the Administration and I would once again ask that that information be forthcoming to Council and that we continue to press for the face to face

meeting with Mayor Masloff regarding any recommendations or proposals that would come out of the Fire Study.

Michelle Madoff:

On the same subject. I would like to add that before any jobs are cut or any major changes made in City government, that whether it's the 1st of September or October 16th, as the Mayor suggested, I'm not going to dispute the time, I don't think it's relevant, that we sit down and talk about the findings before any changes are made.

The Chair, Pro tem:

I agree and we will communicate that wish to the Administration.

Michelle Madoff moved to approve the Minutes of Tuesday, September 17, 1991.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse Mr. Wagner for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Regan**

Council adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, October 1, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Milliones presents

No. 3196 WHEREAS, the Pennsylvania Directors' Association for Community Action, Inc. (PDACA) Conference will be held in Pittsburgh, PA from September 30 - October 2, 1991; and

WHEREAS, this organization is a statewide association dedicated to serving the needs of Pennsylvania's Community Action network by acting as an advocate for low-income citizens; and

WHEREAS, the purposes of the conference "Putting Poverty Back on the Agenda" are to enlighten human service agencies, assist them in performing their duties, and to re-focus society's attention on the needs of low-income citizens (which relate to weatherization, energy, housing and youth); and

WHEREAS, the Pennsylvania Directors' Association for Community Action, Inc. (PDACA) through this conference will offer possible alternatives and solutions to human service providers, and to maintain their viability and effectiveness.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and supports the efforts of the Pennsylvania Directors' Association, Inc. in "Putting Poverty Back on the Agenda" and

proclaims September 30, 1991 as "PDACA Day" in the City of Pittsburgh.

Mr. Millions moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins and Mr. Ricciardi present

No. 3197 WHEREAS, Partnerships in Education is a program of the Allegheny County Conference on Community Development, the Greater Pittsburgh Chamber of Commerce, and the Pittsburgh Board of Education created to enhance linkages among public education, businesses, higher education, and community organizations to improve educational outcomes for students; and

WHEREAS, the Open Doors Program is Partnership in Education's latest initiative designed to increase student academic performance, improve social skills, and enhance the ability of young people to realize the connection between school and the world of work; and

WHEREAS, the staff of the Open Doors Program is forming school community committees to address the needs to at-risk youth in six Pittsburgh communities; and

WHEREAS, Open Doors is committed to sponsoring free community training sessions in each Open Doors community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares October as "Open Doors Awareness Month" in the City of Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues. I would now like to ask our colleague, Councilman Darkins, if he would please come forward and introduce our guests.

Mr. Darkins:

Mr. President and our colleagues on Council, it is a pleasure as well as a privilege today to have in our presence Carol Crumby, Patricia Cotman, and also Jean Burdik.

The reason for this resolution is that it's extensive and beyond the call of duty. It's an outreach and it brings community organizations and makes them more aware of the need for training for not only our young people but people who are interested in furthering their education.

I would like these ladies to come forward and comment and have something to say in regards to the resolution.

Ms. Burdik:

I'm Jean Burdik. I'm the Director of Partnerships in Education, and I thank Council and all its members for this resolution.

Partnerships in Education has, for 12 years, functioned as a joint venture of the Allegheny Conference, the Pittsburgh Chamber and the Pittsburgh Public Schools, to provide linkages between the business community and other community organizations and public education and give the community a mechanism for involving itself in public education. We have done this through one-to-one school-community

partnerships, through system-wide reform efforts such as our Workforce Readiness Program, the Pittsburgh Promise, and now our newest initiative, to really establish neighborhood and community collaboratives around the education of our youth.

We're excited about this new venture. We look forward to continuing to expand the public's involvement in public education, and I'd like Patricia Cotman who is the Coordinator of the Open Doors Program to tell you a little bit more about what's currently happening in Open Doors.

Ms. Cotman:

Good morning. A lot of exciting things, as Jean has said to you, are occurring. We are, as she said, announcing Open Door Awareness Month and actually this is the official announcement. On Friday we're having an elected officials' breakfast and Councilmembers are invited to that breakfast.

Carol Crumby who is our Field Liaison for the South Side community is actually undertaking our Friday activity.

Beyond Friday we will also be sponsoring this month a series of community forums. As you heard earlier, we're in six communities and our field liaisons in those six communities will address school-community involvement and how those people in those communities, be they business persons, parents, school officials, or community organization members, can play a role in the Open Doors process.

Carol is going to tell you briefly about what will occur on Friday. Thank you.

Ms. Crumby:

Hello. I'm Carol Crumby and I'm the Field Liaison with the South Pittsburgh area of the Open Doors Program and Partnerships in Education.

First of all, to kick off Open Doors Awareness Month, after our resolution this morning, thank you very much, on Friday we are going to have a press conference at 8:30 in the morning at the Goodwill Industries, 2600 East Carson Street in Pittsburgh.

At 9:00 we're going to have an elected officials breakfast. The elected officials are part of our communities and we share a common interest in what's going on in those communities as far as the youth are concerned. So, we will be having a breakfast to introduce them to our program and we've sent out invitations and have responses on that.

The next thing that we will have, our guest that morning will be Ron Jackson. Mr. Jackson is the Deputy Secretary of Community Affairs for the State of Pennsylvania and he will be doing a public speaking that afternoon to the community to talk about networking public resources which will be open to all the communities at no cost.

All of these activities will be going on to begin our Open Doors Awareness Month. Thank you.

Mr. Regan:

I'd like to have the United States Air Force up here, please. You know, Desert Storm was a big success story. But a bigger success story was our squadron out at the Greater Pittsburgh International Airport. That's what I'm proud of and I'm sure that's what everybody else in Pittsburgh is proud of. I'd like to read this

resolution honoring them today.

Mr. Regan presents

No. 3198 WHEREAS, the mission of the 171st Air Refueling Wing is to provide qualified individuals for active duty in the United States Air Force in time of war or national emergency and at such other times as the national security may require; and

WHEREAS, the mission of the 3511th is to recruit quality men and women to meet the unique challenges of today's Air Force and to provide for the security and defense of our great nation; and

WHEREAS, the mission of the 112th Tactical Fighter Group is to train, equip and prepare its 800 members assigned to seven component units for combat and rapid worldwide deployment; and

WHEREAS, the mission of the 911th Tactical Airlift Group is to organize, recruit and train Air Force Reserve personnel to provide airlift of airborne forces, their equipment and supplies and delivery of these forces and materials by airdrop, landing or cargo extraction systems; and

WHEREAS, Brigade General Robert G. Chrisjohn of the 171st, Colonel Christopher M. Joniec of the 911th, and Colonel John Pfalzgraf of the 112th have successfully led their regiments through various missions and have witnessed many changes in the United States Air Force throughout their years in command; and

WHEREAS, Major Glenn Parker, who has led the 3511th USAF Recruiting Squadron since 1987, is a senior navigator with approximately 2000 flying hours in the T43 and KC-135 aircraft and has achieved such honors as the Meritorious Service Medal, the Air Force

Commendation Medal, and the Combat Readiness Medal; and

WHEREAS, the 171st Air Refueling Wing and the 911th Tactical Airlift Group served in Operation Desert Shield and Operation Desert Storm from August, 1990 to March, 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the 171st, the 112th, the 3511th and the 911th, as units who have served their country and have done a remarkable job to see that the good name and honor of the United States Military is upheld. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded motion.

Which motion prevailed.

Mr. Regan:

It's the first unanimous vote this week in Council.

We'd like to congratulate you and we'd like to put on this little movie of what they're all about and what they've done for us. You know, we sit here and it's nice to feel comfortable when we have qualified people like this representing us. I come from a little Catholic high school on Troy Hill in the City of Pittsburgh and we are proud to say that we have four Air Force Generals that came out of that one little school and that makes us proud of you.

Colonel Lynch:

Members of Council, on behalf of General Chrisjohn and the some 2000 men and women of the 171st Air Refueling Wing and the 112th Tactical Fighter Group of the Pennsylvania

Air National Guard, and the members of the 911th Air Force Reserve also located at Greater Pitt and the Recruiting Squadron here in town, I've got a presentation to the City of Pittsburgh and I'd like to present it to the City through Councilman Regan. It's our way of saying thank you for your support while we were in the desert.

The real heroes are the guys in the flying suits and the fatigues. I spent the war in Washington. They are the ones that fixed the airplanes and flew the missions in unarmed aircraft over Iraq.

Mr. Regan:

Thank you very much. Since I was 4-F, they called it B classification on the North Side — Be here when you go and be here when you get back.

But I'd like to present this to our President of Council who was a proud Marine, Jack Wagner.

The Chair:

Thank you, everyone. Thank you, Councilman Regan. On behalf of all City Council, I'm very proud and honored to receive this and we thank you for your support of this country.

Colonel Lynch:

Councilman Regan, I have a personal gift to you from the 171st Air Refueling Wing which shows our airplanes over the North Side. You'll note that they're not making any noise.

Mr. Regan:

We're really honored because you really represent us and we don't want you to think that we ever take for granted what you're doing and

what you've done for us. Thank you very much.

The Chair:

Thank you.

Mr. Regan:

These folks are all our people from Pittsburgh and the surrounding area. There is an impact that they put in this community that they generate \$30 million worth of revenues in salaries and food and just general supplies.

Susan Wagner, would you please come up here? Here's a lady that has a big job and is doing a big job and since we're honoring the Air Force here today, I would like to honor her.

Susan is a tremendously talented artist and sculpture. I'll read this and then I'll tell you a little bit about Susan because we're going to make it her day in the City of Pittsburgh today.

Mr. Regan presents

No. 3199 WHEREAS, Susan Wagner was born and raised in Pittsburgh and has resided in the Bloomfield area of town with her husband Richard for the past 8 years; and

WHEREAS, Mrs. Wagner is currently creating a life-size bronze memorial for the 14th Squadron to be displayed in Westmoreland County upon completion; and

WHEREAS, Mrs. Wagner creates portraits viewed by many such as that of Pope John Paul II, which is displayed in the Vatican Garden, as well as one of the late Arthur J. Rooney; and

WHEREAS, Mrs. Wagner has done the portrait for Matthew Henson, who helped Admiral Perry reach the North Pole, as well as the

vignettes on the Matthew Henson Memorial; and

WHEREAS, every year Mrs. Wagner is called upon to do the portraits for the Baseball Hall of Fame; and

WHEREAS, Mrs. Wagner graduated from the University of Pittsburgh and is currently employed by Matthew International Corporation.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim October 1, 1991 as "Susan Wagner Day" in the City of Pittsburgh to commend Mrs. Wagner for utilizing her artistic talents and creating life-like images for others to hold close to their hearts always. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

I'd like to present you with this proclamation so you can have a lasting memory. It's not as fancy as the work you do but it's the best we can afford since we have a little bit of a budget crunch.

Mrs. Wagner:

I'd like to thank everybody for this honor and not only am I working very hard for this memorial dinner but a lot of people are working just as hard. We all hope that you'll be proud of what we're going to do.

Mr. Regan:

This is the squadron in Greenburg, by the

way, that lost their lives over there. So, we commend Susan for doing such a great job and it's nice to know she's one of us - a Pittsburgher. Thank you.

The Chair:

Councilman Regan, isn't there going to be some kind of activity or some presentation for them? A memorial?

Mr. Regan:

Yes.

The Chair:

When is that?

Mr. Regan:

I'm sure of the date yet but I'll notify you.

Mr. Ricciardi:

February 25, 1992.

The Chair:

We'll have to put that on our calendar. Thank you.

Mr. Cohen presented

No. 3175 Resolution providing for the issuance of a warrant in favor of Pennsylvania Department of Transportation in the amount of \$4,740.63 for the City's portion of reimbursement for Commonwealth incurred costs on the Grant Street, Phase II project, payable from the Grant Street Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 3176 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for the Design and Construction of the Overbrook Senior Center at a cost range of \$600,000.00 or more, but less than \$750,000.00, chargeable to and payable from Code Account 3-13-66-1450-90.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Ferlo presented

No. 3177 Resolution providing for the issuance of a warrant in favor of Carl Marshalwitz, 725 N. Beatty Street, Pittsburgh, PA 15206, in the amount of \$300.00 in payment for professional consulting services rendered to Jim Ferlo for the month of September 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 7, City Council.
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 3178 Resolution approving a Conditional Use Exception under Section 993.01(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Public Parking Authority for authorization to construct a five-level parking structure containing 208 stalls with three levels above grade, one at grade, and one below grade located at 714-734 BELLEFONTE STREET, on property zoned "R4" Multiple-Family Residence District, 7th Ward. (Council District #8)

Also,

No. 3179 An Ordinance amending the Pittsburgh Code, Title Nine "Zoning", Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing: From "M4" Heavy Industrial District to "C3" Commercial District all that certain property consisting of Lot No. 164, Block 80-K in the Allegheny County Lot and Block System, having 140 feet of frontage along the southerly side of HATFIELD STREET between FORTY-SEVENTH and FORTY-EIGHTH STREETS, 9th Ward. (Council District #7)

Also,

No. 3180 Resolution approving a Conditional Use Exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to NSCS/USA Housing Development Corporation for authorization to construct a five-story structure containing 50 dwelling units for the elderly with parking to accommodate 16 automobiles, located at 4720 HATFIELD STREET on property zoning "C3" Commercial District, 9th Ward. (Council District #7)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 3181 Resolution providing for the

issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Michelle Madoff for the month of October 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District #2, City Council.
--(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 3182 Resolution transferring the sum of \$15,000.00 from Code Account 1051, Equipment, Office of the City Controller, to Code Account 1502-9, Workers' Compensation, Office of the City Controller. This transfer has been recommended by the Benefits Office to cover future expenditures for the remainder of 1991. Effective Date upon signature of the Mayor.

Also,

No. 3183 Resolution authorizing the incurring of nonelectoral debt for the purpose of providing funds for refunding and for Capital Projects, by the issuance of General Obligation Bonds, in the aggregate issuance amount of \$45,000,000; accepting a proposal; providing for maturities, interest rates and redemption features; covenanting to pay debt service; pledging full faith, credit and taxing power for the payment of the Bonds; appointing a sinking fund depository; establishing a sinking fund; appropriating the Bonds proceeds; ratifying prior advertisement and directing further advertisement; authorizing the payment of expenses; ratifying the preliminary official statement; authorizing approval of the final official statement; adopting

a form of Bond; authorizing the purchase of a policy of Municipal Bond Insurance; and repealing inconsistent resolutions.

Also,

No. 3184 Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements with St. Margaret Memorial Hospital (the "Hospital") and Delafield Associates, a Pennsylvania limited partnership (the "Partnership"), approving the sublease of certain property in the 12th Ward from the Hospital to the Partnership, and acknowledging and supplementing the rights and obligations of the parties and their successors and assigns with respect to the property and the building to be constructed thereon, and also authorizing the Mayor to execute, on behalf of the City, any additional documents which may be required to facilitate the development and financing of the building.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3185 Resolution authorizing the URA of Pgh. to file a declaration of taking on behalf of the City of Pittsburgh to acquire reversionary interests owned by the heirs and successors in title of the Schenley Estate in the 1st Ward of the City of Pittsburgh for the construction of a building to house courts and other municipal offices and for utility and vehicular access thereto and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereof.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Millions moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 3186 Resolution providing for the issuance of a warrant in favor of Pamela A. Smoot, 1838 Arcena Street, Pittsburgh, PA 15219, in the amount of \$2,333.33 in payment for professional consulting services rendered to Jake Millions, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District #6, City Council.

---(SPONSORED BY MR. MILLIONES)

Also,

No. 3187 Resolution providing for the issuance of a \$1,043.99 warrant in favor of Helen M. Rice in settlement of claim for vehicle damage to a 1985 Plymouth struck by an Environmental Services vehicle on June 7, 1991, payable from Code Account No. 46, Judgments.

Also,

No. 3188 Resolution transferring the sum of \$10,000.00 from Code Account 1061, Salaries, Temporary Employees (106114) to Code Account 1061-1, Premium Pay (106112) Department of Finance. This transfer is needed to allow the Department to continue to conduct Saturday audits of taxpayers who can not come to the office during normal working hours and to process Real Estate and Sewage payments in a timely fashion.

Also,

No. 3189 Resolution amending Res. No. 777, appr. Aug. 7, 1991 and eff. Aug. 14, 1991, entitled "Resolution authorizing the City to enter into an agreement or agreements, in form approved by the City Solicitor, with the Union National Bank of Pittsburgh (the "Bank"), to serve as the successor trustee for the Worker's Compensation Reserve Trust (the "Trust"), authorizing the payment of compensation to the Bank from the corpus of the Trust, authorizing the City to enter into a release and indemnity agreement with the Bank, and authorizing the City Controller to transfer to the Trust such funds as may be necessary to adequately fund the reserves", so as to reflect Integra National Bank - Pittsburgh (the "Bank") or its successors, to serve as the successor trustee for an irrevocable trust known as the Worker's Compensation Reserve Trust (the "Trust"), in order to meet the licensing and security requirements of the Commonwealth Department of Labor and Industry.

Also,

No. 3190 Resolution providing for the conveyance of certain property in the 23rd Ward, City of Pittsburgh, known as 806 Madison Avenue, designated as Block 24 N, Lot 34, to Harry Anderson, for the sum of \$10,120.00, upon certain terms and conditions.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 3191 An Ordinance amending Ordinance No. 37, appr. Dec. 20, 1990, entitled "An Ordinance amending Ordinance No. 17, appr. Aug. 17, 1990, entitled 'An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order

and Title Seven - Business Licensing, Article VII- Service Businesses, Chapter 765 - Commercial Refuse, to add provisions for the administration and regulation of the collection and recycling of recyclable materials and leaf waste, and imposing penalties for the violations thereof to amend the types of materials to be collected by the Department of Environmental Services, the manner of collection of such materials and related licensing requirements, and to renumber the subsequent sections and references accordingly" to change certain provisions governing the licensing of haulers and municipal waste, recyclable materials and leaf waste.

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 3192 Resolution the Director of the Department of Parks and Recreation to increase certain admission fees at the Pittsburgh Aviary, effective November 1, 1991, as listed below.

All monies collected shall be deposited in the Aviary Trust Fund.

—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Millions moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

Mr. Coyne:

Mr. Chairman, a couple of weeks ago I made a motion to hold the sprinkler ordinance which I am presenting for eight weeks. I'd like to withdraw that motion and make the motion that it will be up for discussion at tomorrow's Council Meeting.

Mr. Millions seconded the motion.

Mr. Ferlo:

Question. Is it for the intention of holding a public hearing?

Mr. Coyne:

The motion tomorrow will be for the President to set a public hearing.

WHICH MOTION PREVAILED.

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 3193

Report of the Committee on Finance for September 25, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3111

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carson Street Gallery, Inc., in the amount of \$2,000.00 for Art

Services in connection with the Zone 4 Police Station Wall Mural; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3114

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Electric, P.O. Box 102149, Atlanta, Georgia 30368 in the amount of \$1,562.60 in payment for electrical material furnished for the benefit of the City in connection with replacement of transformer for Pump #6 at Herron Hill Pumping Station and providing for the payment thereof."

Which was read.

Also,

Bill No. 3115

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of U.S. Nuclear Regulatory Commission, License Fee & Debt Collection Branch, P.O. Box 954514, St. Louis, MO 63195-4514 in the amount of \$1,500.00 in payment for license fees furnished for the benefit of the City in connection with the radio active material used in the gas chromatograph and providing for the payment thereof."

Which was read.

Also,

Bill No. 3116

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Perkin-Elmer Corporation, Citibank, Delaware, Box 7247-9000, Philadelphia, PA 19170-9000 in the

amount of \$3,794.75 in payment for laboratory supplies furnished for the benefit of the City in connection with special supplies for the atomic adsorption spectrophotometer and providing for the payment thereof."

Which was read.

Also,

Bill No. 3117

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Millipore Corporation, P.O. Box 7247-8930, Philadelphia, PA 19170 in the amount of \$4,579.60 in payment for laboratory equipment furnished for the benefit of the City in connection with equipment needed for daily water testing and providing for the payment thereof."

Which was read.

Also,

Bill No. 3118

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sealing Specialists & Service Co., 969 William Flynn Highway (Route 8), Glenshaw, PA 15116 in the amount of \$839.00 in payment for electrical material furnished for the benefit of the City in connection with a custom-made valve and gasket kit for Brilliant Pumping Station and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Bill No. 3119

A Resolution entitled, "Resolution providing for the transfer of an aggregate amount of \$55,000.00 from Code Account 1977, Index Code 19707, Utilities, Department of Water, to various Code Accounts in the Department of Water."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3121

A Resolution entitled, "Resolution providing for the issuance of a \$20,000.00 warrant in favor of John and Alice Sobocinski in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3122

A Resolution entitled, "Resolution repealing Resolution No. 253, effective March 22, 1991 which repealed Resolution No. 848, Item H, effective August 16, 1990, which authorized the sale of a lot 50' x 100', located at 1904 Elmdale Road, 28th Ward, Block 18 E, Lot 158, to Bruce Brosek, for the sum of \$500.00."

Which was read.

Also,

Bill No. 3123

A Resolution entitled, "Resolution repealing Resolution No. 58, Item C, effective February 12, 1991 which repealed Resolution No. 873, Item B, effective November 14, 1989, which authorized the sale of 2 lots 20' x 100', located at 625 Kendall Street, 10th Ward, Block 81A, Lot 173, to Kenneth E. Ditrig and Maria T. Ditrig, his wife, for the sum of \$350.00."

Which was read.

Also,

Bill No. 3124

A Resolution entitled, "Resolution repealing Resolution No. 782, effective August 14, 1991, Item A, which authorized the sale of property in the 13th Ward, being a 2-1/2 story, brick, house on a lot 26' x 93.66', located at 7149 Hermitage Street, designated as Block 174 A, Lot 259, to Donzal and Sandra Newsome, for the sum of \$7,600.00."

Which was read.

Also,

Bill No. 3125

A Resolution entitled, "Resolution repealing Resolution No. 782, effective August 14, 1991, Item B, which authorized the sale of property in the 21st Ward, being a 2 story, brick M. house on a lot 24' x 65', located at 1208 Liverpool Street, designated as Block 22 L, Lot 242, to Robert Josquin Boundreau, for the sum of \$8,200.00."

Which was read.

Also,

Bill No. 3126

A Resolution entitled, "Resolution repealing Resolution No. 672, Item B, effective July 15, 1991, which authorized the sale of property in the 25th Ward, being a 3 story, brick and frame apartment house on a lot 20' x 100', located at 1411 Federal Street, designated as Block 23-G, Lot 4, to William P. Lowry and Margaret L. Kohl, Joint Tenants, for the sum of \$10,057.00."

Which was read.

Also,

Bill No. 3127

A Resolution entitled, "Resolution amending Resolution No. 559, Item F, effective June 5, 1991, which authorized the sale of a small, vacant, lot 25' x 71.5', known as 646 Sickles Street, 13th Ward, designated as Block 231 M, Lot 307, to Wilbur Ferguson and Brenda A. Ferguson, his wife, for the sum of \$350.00."

Which was read.

Also,

Bill No. 3128

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 3129

A Resolution entitled, "Resolution authorizing the transfer of sixty thousand dollars (\$60,000) from Code Account 1446-1, Index Code (144618), Police Investigations Account to Code Account 1461-3, Index Code (146134), Fire Longevity, Bureau of Fire, Department of Public Safety."

Which was read.

Also,

Bill No. 3141

A Resolution entitled, "Resolution providing for the transfer of funds totalling Twenty Thousand (\$20,000.00) Dollars from Code Account 1150, Outside Repairs-Contracts, Index Code 115006 to Code Account 1145, Oils and Greases, Index Code 114504; both code accounts are within the Bureau of Fleet Management, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 3194

Report of the Committee on Planning, Housing and Development for September 25, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3113

A Resolution entitled, "Resolution amending Resolution No. 507 effective May 30, 1991, entitled 'Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program,' so as to add new line items and reprogram funds under City Council." (AS AMENDED IN COMMITTEE) (SPONSORED BY MR. FERLO & ALL MEMBERS OF COUNCIL)

Which was read.

Michelle Madoff:

Point of personal preference. I just want to point out that it takes five votes to get anything through for any community. We are not just here representing our communities but representing the whole City and I just think people understand. This was for Esplen Senior Citizen Association; the next time it will be in somebody else's community. But I think it's terribly important to point that out.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

Bill No. 3195

Report of the Committee on Water for September 25, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Also, with a **NEGATIVE** recommendation.

Bill No. 3120

A Resolution entitled, "Resolution authorizing membership in the American Water Works Research Foundation, 6666 West Quincy Avenue, Denver, Colorado 80235, and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President and Members of Council, I want to make it clear that my opposition to Bill 3120 is not born of any personal or political prejudice. Nor do I oppose the expenditure of City tax money to better inform our chemists of the latest technology in water delivery systems.

In normal times my colleagues and I would approve a similar expenditure without much debate. As a matter of fact, I sat here and watched the Mayor, when she was a Member of Council, vote continuously not to increase the rates to the Zoo, the Aviary and the Conservatory and I was a lone voice fighting for what has now become, first of all we got it through after a number of years but a very small portion has now become sort of the target of the Administration. Perhaps if we had done these things in advance we wouldn't be in the situation that we're in today. But we're not in normal times.

As the responses to the pertinent question of my colleagues Mr. Ferlo indicated the information we would receive from participating in a research cooperative would be obtained from other sources. Upon closer inspection, it is

apparent that the expenditure is unnecessary, if not wasteful. Mr. Ferlo gave me a copy of this printout and basically it is esoteric; but, more important, this information is available from Pitt, for one, and I could think of a dozen places this material could be obtained.

I'm calling on my colleagues today to join with me in opposing Bill No. 3120, not because saving \$20,000 will balance our hemorrhaging City budget. We should oppose it because we need to send a signal to the Mayor and to our constituents that our responsible public officials are ready to do our part in holding the line on taxes.

Our colleague indicated to me after our preliminary vote last year that he was unimpressed with the amount to be saved. Yet, if we as a body found \$20,000 in unnecessary spending each week for a year, we would save over \$1 million. Just think, we could hire 25 police officers with \$1 million. We could more easily preserve important public institutions like the Aviary and Phipps Conservatory, and we could afford to wisely invest money in hiring qualified professionals to identify and prosecute those businesses and individuals who are bleeding the City by not paying their water bills or taxes. And that's an area that doesn't cost the City anything to hire some people to start collecting our taxes. They bring in ten times what it costs us.

I'll grant you that the vote today alone isn't all that important to the future of the City. But the attitude it represents may just get us through the tough times that lie ahead. So, I urge my colleagues to support me and not vote for 3120. It's a very strong message that we send. The information is readily available. In good times we were just a little loose with the public purse and I think that the time has come that we have to tighten our belts when we start thinking about laying off all the people, police, firemen,

and we're all being interviewed, as you know, to talk about the budget.

Mr. Cohen:

I agree with Councilwoman Madoff on this issue. Director Perkins, although I think he's doing a very good job, really couldn't point to anything that our membership in the American Waterworks Research Foundation did to help us either decrease costs or improve our system. So, I think that, although in the best of times it would be good to be part of this organization, these are not the best of times. We have a serious budget problem and I think it's a luxury we can't afford. So, I agree and I'm going to vote no.

Mr. Ferlo:

Very quickly, Mr. President. We are and we will continue to be professionally a member of the AWWA as distinct from giving a \$20,000 plus donation to their research foundation. So, that kind of linkage and level of activity between a professional staff within the Water Department and this professional industry trade association will continue regardless of the fact that I hope we vote this down.

I just got my third quarter water bill of \$96.46 and I'll be damned if I think that we should put money from revenues that are raised as a result of outrageously increased water bills in this City to find what Michelle has best described as esoteric research. I call it ass-oteric research.

Most of the research project that I have reviewed in that document that I had circulated are mostly either research being done at universities throughout this country. But, more importantly, most of the research is corporate, private utility, private corporations who have a vested interest in selling products as a result of new technologies in the water delivery systems. I think those corporations and those who have a

vested interest are better suited to fund the research activities that are proposed as opposed to Pittsburgh City ratepayers, including me.

Mr. Ricciardi:

I would just like to take this opportunity to thank and commend Michelle Madoff for continuing to point out unnecessary spending in City government and I also will be voting in the negative.

Michelle Madoff:

Let us not forget that there's \$12 million sitting in the Water Department uncollected.

And with all due respect to Mr. Perkins, I spent two afternoons and brought in \$600,000. He has had a great deal of time and he has brought in \$1.6 million. I don't think that's a great accomplishment. However, I don't think it's Mr. Perkins' fault.

It takes money to make money. And Mr. Turner, whom I am going to meet with today, has got to understand that we've got to give him the tools, the people, to do the collections.

You got a bill today, Mr. Ferlo, a large bill. You're going to pay your bill. But there are people out there who haven't been paying their bills for 35 years because we never made it an issue. And that's how we got where we are today.

**(COUNCIL'S REMARKS ON
FOLLOWING PAGES)**

(COUNCIL'S COMMENTS ON BILL NO. 3120-Wednesday, 9/25/91)

Michelle Madoff:

I have spoken to Mr. Perkins about this. In normal times, I would say this is very appropriate and certainly we ought to, we are staying abreast of the latest technology. But our Water Department is one of the best; as a matter of fact, they probably learn a lot from us. For the city at this point to be putting out \$20,000.00, which is the salary of someone, I have some great concerns. This is almost a luxury that I don't know that we can afford. Someone might argue that we can't afford not to do it, because there may be some new breakthrough in technology, but if there is any new major breakthrough in technology, we will find out fast enough; it will be front page.

I am wondering whether this is the year we ought to continue with this. Council might want to think about it before we vote on it.

\$20,445.60, we are going to be putting people out of work. It is a contribution to the Waterworks Research Foundation, which is certainly, in good times, a wonderful thing we ought to be doing, and all the years I have been in environmental issues and working just recently on a couple things in East Liverpool, Ohio, Center for Hazardous Waste, information is available without spending \$20,000.00.

The Chair:

Are there questions of Mr. Perkins?

Mr. Ferlo:

Would you specifically outline why this request is being made, what services we get and actually who would be going.

Mr. Perkins:

American Water Works Association is the body that sets the standards for the water industry, they set standards for a wide variety of things in the water industry. The research foundation is a spin off of AWWA, which allows all municipalities, cities, to participate and subscribe to the research foundation to share information as regards to water treatment, water quality, water distribution, just the whole gamut of the water industry. There are certain issues that break in certain parts of the country that we don't need to duplicate our effort, and by sharing the research in the form of

papers, we don't really have to duplicate our effort.

Mr. Ferlo:

This isn't the traditional professional membership to the AWWA, this is their offshoot group, which is a research foundation?

Mr. Perkins:

Right.

Mr. Ferlo:

I read their last newsletter, and the things that they funded were the most obscure things. Obviously, I am not an engineer nor a water expert, but the things that they funding were the most obscure things I ever read in my life.

What is the justification for to us do this? Why isn't the federal government or state government being asked to fund, and/or the university community, foundation community? Why is this a role for a little old municipality like the City of Pittsburgh, that has raised water rates about 45 to 60 percent, depending on how you add? Why should we give that money to this research foundation?

Mr. Perkins:

I guess I can add that research is very expensive. We had to go out on research many times, it may be very costly. If we had to go out and solicit research for other groups, it would be costly.

Mr. Ferlo:

What research have we benefited from as a result of this grant?

Mr. Perkins:

This is a national research going on on a topic called coliform. And there is a new testing requirement that is being mandated that will go into effect shortly.

We are able to gain additional information on the subject through membership in the AWWA.

Mr. Ferlo:

Did the Association calculate a fee schedule based on the size or, quote, "health" of the city?

Mr. Perkins:

What happens is the gallons that we produce per year is the factor that you have to multiply.

Mr. Ferlo:

That is AWWA?

Mr. Perkins:

No, for the membership in the Research Foundation. Then you get credits for sale of water off to other municipalities to come up with your final membership.

Mr. Ferlo:

Is there a reason why we can't approach the foundation community locally, given the fact that there are major companies that in some way deal with the business of water, be they research or otherwise, to make this allocation?

Mr. Perkins:

I don't see any reason why that can't be pursued.

Mr. Ferlo:

I have to vote no. I think there are other ways to do this.

Mr. Cohen:

Director, I certainly don't want to criticize you or anybody in the Water Department for bringing this forward. You subscribed to this organization, I understand, for three years and this is the fourth year. I understand why you bring this up as a matter of course.

The problem is these are tough times. What I would like to ask you is can you think of any cost saving measure that you receive as a result of being a member of this organization that would allow the Water Department to save some money? You

understand.

Mr. Perkins:

We have saved money, but not to the tune of \$20,000.00. What I think it is, if an issue would come up in the future which would be a very costly issue, it is sort of an offset.

Mr. Cohen:

I hope you understand, I have to vote no on this, too, given the situation with the city right now. We have to make tough decisions. I think this is a very worthy organization, it would be nice to be involved in it, but on the other hand, with the drastic budget cuts and layoffs and everything else that is going on, I think it is a luxury we can't afford.

Mr. Regan:

Mr. Chairman, Director, I would like to commend you; you are doing a fantastic job. I know you're only new and you are an outstanding young man. I tell you, the City of Pittsburgh I think is very lucky to have you, and I think you well represent the city.

Will this help you in your job as Director? Will it help the people of the City of Pittsburgh?

Mr. Perkins:

It will help our laboratory more so than myself personally.

Mr. Regan:

It would be alot more than \$20,000.00 if you had to do this on your own at city expense?

Mr. Perkins:

As I said earlier, if there was a situation that would come up that would require indepth analysis or research, sure, it would cost in terms of personnel costs, manpower cost. Research is very expensive.

Mr. Regan:

The Water Department, since I have been here, has been a very easy dog to kick. Every time you come to the table, all

they do is kick you; am I correct? You don't have to answer that. I am sorry.

I think we should vote yes on this. It is a tremendous thing for the city, and I would love to have you there representing our city in this organization. It is a very, very worthy cause. Eleventh hour bashing doesn't help anybody. I think what we should do is fund it to you this year, and for you to go and get the funding someplace else next year. I will be glad to support and help in that effort.

Michelle Madoff:

Are you familiar with the research going on at Pitt and the mass spec and all the equipment they have, which is one of the finest in the United States on water treatment and research?

Mr. Perkins:

Yes, I am. As a matter of fact, our two laboratory supervisors participate in that research.

Michelle Madoff:

You don't believe that they would have the latest technology and developments at Pitt? Some of them are tops in the world, in the country, in research on water. You believe that we need to duplicate the effort by also subscribing to this?

Mr. Perkins:

It is bigger than that. Certain things can develop in the water industry on a regional basis, and the region might not be this region, but it could effect this region.

Michelle Madoff:

I am saying it is shared with Pitt now.

Mr. Perkins:

Not necessarily, not in all cases.

Michelle Madoff:

I bet you a thousand dollars it is, because I worked with them for years. I was here 11 years ago when we had a spill at

PPG and we did the blind studies. I went out and took the samples myself and they were used in the university.

The Chair:

We are talking about Bill 3120, not the University of Pittsburgh.

Mr. Darkins:

Mr. Chairman, Director Perkins, you have never attended this before, would this be your first time in attendance?

Mr. Perkins:

We do not actively attend any session. We get information on a monthly basis from the Research Foundation in terms of reports, papers, analysis. So there is really no attendance that is required.

Mr. Darkins:

This will be your first time, though, as the Director of the Water Department to have access to this, then?

Mr. Perkins:

Not necessarily. I have come to the table in prior years for this bill.

(End of remarks)

(Transcribed by Helen L. Kriebel)

The Chair:

Even though we have a negative recommendation, a vote in the affirmative would be a vote for the bill, for simplicity reasons.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Milliones	Mr. Wagner
Mr. Regan	(Pres't)

AYES 3	NOES 5
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VOTING NO:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	

And a majority of the votes of Council being in the affirmative, the bill was defeated.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

Mr. President, I'm very concerned that we haven't received a response yet from the Public Safety Department regarding police response times in the neighborhoods. I think it was on September 1st that the Pittsburgh Press published the results of a 15-month survey which showed a vast disparity of how quickly police will respond to your emergency depending on where you live in the City. In particular, Zone 5 was shown to have had a slow average response time.

Since that report came out on September 1st, this Council sent a letter to Director Cannon on September 4th, asking for the Public Safety Department to respond to the allegations. We also held a post agenda meeting on September 11th, one week later, with Director Cannon and Chief DeRoy there, as well as many interested neighborhood groups interested in crime prevention.

At that meeting, Director Cannon said that he believed that the Pittsburgh Press figures were inaccurate and that he would respond to the report by giving us two items of information. One is what the Public Safety Department's view of police response times is, both emergency response times and lower priority calls. But also, exactly how many police hours have been spent in each of the zones in 1991.

Mr. President, it has been one month since that report came out and we haven't received any response from the Public Safety Department. This is a very serious issue because it involves people's personal safety and Pittsburgh shouldn't have to worry about the kind of police protection they get depending on where they live.

So, I'd like to move that we send a very strongly worded message to Director Cannon asking for this information again, and that if we don't receive it within two weeks, then I'll move to have a public hearing on this subject.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. President, we have this continuing debate going on in Council with our request for the Mayor to appear in Chambers regarding the

so-called Fire Study. As far as I'm concerned, it's unfinished business. There is a standing resolution requesting the Mayor to appear in Council Chambers pursuant to our powers under the Charter to request her attendance on a specific case, in this case, the so-called Fire Study.

I would hope that we do not have to get to a situation where we would actually issue a subpoena. That would be unfortunate and certainly not the best way to proceed, especially in light of the fact that we need to go in with the Administration during some very critical debates for the next two months around the whole budget situation for this year as well as next year.

But, solely on the issue of the Fire Study, I attended a meeting, it really actually turned out to be more of a rally the other evening, in Stanton Heights at Sunny Side School. I had nothing to do with promoting or organizing the rally and neither did the fire union that was represented by Mr. King. In fact, it's a regular meeting with the Stanton Avenue Block Watch, Stanton Heights Block Watch Committee. But, because of the nature of the issue and because of what I hope will be certainly a bad or incorrect or malicious rumor, and that is the possible closing of the Stanton Heights Fire Station, and I hope that's nothing more than a rumor and people's worst fears. As a result, you can imagine several hundred people, in fact, attended the meeting.

I spoke at that meeting, even though I was at the school for another meeting with parents regarding a school situation. And, again, I would try to review to the President and Members of Council where we are at in this request. I had made a comment regarding the veracity of the Administration's comments regarding whether or not the study is indeed done. The Mayor refers in her letter to my my outrageous remarks. I don't think my remarks are outrageous.

I would ask Council to please review the

signed contract between the Administration and the consultant Ernst and Young, and I will just very quickly refer to a couple of sections.

My main argument here, Mr. Chairman, is that the report is indeed in the hands of the Administration and has been for some time and, even prior to the final report, there are three significant elements to the report that were forwarded to the Administration as long ago as June and July. None of that information, to my knowledge, Mr. President, has been made available to any working committee, including the one that you are supposedly a member of, let alone Council, let alone the public.

If you look at the contract that was signed by the Administration, again, just on the issue of the signing, the contract was signed March 11th. I believe they, indeed, began work after January 24th which is the actual authorization to spend dollars because they were negotiating and they have been working with Ernst and Young since last year.

But a project time schedule, page two of the signed contract, the consultant shall adhere to the following schedule: The part one report as described in Exhibit A, and I'll refer to that, shall be submitted to the City within 90 days of the date of this agreement. The second component of that report, part two, shall be submitted to the City within 180 days of the agreement. And the third report, and an overall report and recommendation, will be 220 days from the date of this agreement.

If you look at another reference in the signed contract on page three, and I quote, it is specifically understood and agreed by the parties hereto that no payment will be authorized or approved under this agreement unless the consultant has furnished to the City an accompanying monthly status report with each requisition for payment.

In terms of what the elements of the various reports has mentioned in the contract under the implementation plan, the part one report which was to be 90 days following the date of this agreement, I believe January 24th, the Mayor is saying March 11th. 90 from March 11th, let's give her the benefit of the doubt. The part one report shall include those recommendations that the City may immediately implement that would affect the City's fire protection capability, including but not limited to deployment and staffing criteria.

It's logical that they would want that because that basically fits in with their negotiations agenda or timetable. They have hired Mr. Schneider to negotiate with the Fire Union. I could see why they would want that information first. That is a large part of the adopted report. That information was here months and months ago.

The part two report which they already have shall include those recommendations the City may implement that would require land acquisitions, new and relocated fire stations, and major capital cost recommendations for apparatus and equipment. The main element there in time for capital budget planning would be that if they were going to close fire stations or had to re-align the stations, they would want to have some time to do that planning.

That document, that report, those findings, are already in the hands of the Administration.

And part three being the overall report, there is still an on-going debate. I believe they've had this report. I don't use the phrase that somebody is a liar loosely, but I believe the Administration is being less than candid with the public and with this Council regarding these documents.

I once again request, Mr. President, that the Mayor be ordered, if necessary, by subpoena, to appear so that we can resolve this issue.

I do want to point out that a review of the payments made to the consultant, Ernst and Young, although we authorized \$195,000, which I certainly voted against, the actual payment to date as of September 6th, was \$170,000 of \$178,000 overall contract. So, they indeed have already been paid \$170,000. In any other situation I've ever dealt with with consultant reports and various City departments, it has always been the case that preliminary documents have come in and have been made public. It has always been the case that that magnitude of a payment would suggest that they indeed have written documents that they have their hands on.

So, the Controller's Office has already made three payments for these reports totalling \$170,000 out of an overall signed contract of \$178,000. That's a hell of a way to run City government.

And I would again ask a prayer to the Council President is that we get the Mayor here to the table and we find out what is going on.

The Chair:

We have communicated in writing and verbally with the Mayor's Office and they have responded. In that letter, what is the time frame in which they said the report will be held?

Mr. Ferlo:

The Mayor's reference in her letter to us, Mr. President, which we read into the Record last week, thus the final report is due on October 16th. This is the final report. Now, if you remember, for the last year we have been asking for any and all information. We never made a reference

about a final report. We've asked for any information or data that could be shared with Council and the public and could be reviewed by the Committee.

The Chair:

They have responded back to us. It's not what we want, obviously. And the only other recourse Council would have would be to subpoena the Mayor in front of Council. That would have to be done with a formal resolution introduced and voted on.

Mr. Ferlo:

Well then I will introduce a resolution. I have no assurance that they'll even be here by October 16th.

The Chair:

I would recommend that we wait until October 16th which is two weeks off, and see if the report is in by that date, available to us, available to the firefighters' union, available to the public. And I would hope by that date that it would be.

I'm not pleased also and I know all of your colleagues share your opinion, but we're limited as to what we can do to force that report to be made available if, in fact, it's not here. And they keep telling us it's not here and we have to take their word for that up until that date, I think anyway.

Mr. Ferlo:

Mr. Chairman, the thing that I'm concerned about, you know, as we look ahead at the remaining two months, I think we're going to have a very difficult time this year. We have a lot of issues to struggle with regarding the possibility of rearranging significant sections of various City

departments, the potential of losing large parts of our workforce. I mean, there's so many issues that we need to address between now and the end of the year that were not present in the three other budget debates that I have participated in.

What I'm saying is that this is sort of indicative of the whole problem with the Administration and Council as we go into those budget proceedings. I'm not only concerned just about this study. I'm not only concerned just about the lack of information to Council and the public regarding what they're doing right now. We've never received any financial report regarding our present financial situation, at least I have not. And now we're going into some very difficult budget considerations and it's a bad climate, it's a bad way for the head of the Board of Directors of this City, the Mayor, to deal with Council as a legislative body and Council as somebody who ultimately has to approve these considerations.

I have made a request to the Council Finance Chair previously that we realign and rethink the manner in which we do our whole budget deliberations this year. I think we need at least two interactions with some of these department directors rather than the traditional one-time discussion with them, because we're a much more active Council than we have been in the past regarding the operations of some of these departments.

As far as I'm concerned, we should find a better way to do Grants and Donations and Block Grant rather than have that take up a month of our hearings, when it's all a fait accompli anyway. I'd rather see us have dialogue and have time to deal with the department directors. I'll close. Thank you.

The Chair:

Let me just follow up by saying that I

share your concerns about the firefighter study. I think Council does. And I have strongly, I repeat, strongly recommended to the Mayor's Office and the Administration that they communicate better, not only on that issue but a multitude of issues with Council. I cannot force that issue; I can only recommend it, and I really don't want to debate it.

Mr. Ferlo:

This is political, Mr. Chairman. There's nothing wrong with politics; it's the way we run government. The politics are that the Administration is playing one Councilmember off against the other one. That's not the way we should proceed. We should be united representing this body as a legislative body that has certain responsibilities.

We respect the rights and the prerogative of the Administration to run the City government. Those are mandated by the Charter, and we have certain obligations.

Unfortunately, Dr. Milliones has left the meeting. I'm concerned about his posturing relative to his support for this Administration as we go into these debates. I think we need to have some unity and I wish, if he's here, I'd like him to return so we can discuss some of the politics of how these meetings are going to be chaired going into the budget proceedings.

The Chair:

We're talking about a multitude of things. But clearly, I want you to know that as President of Council I have said to the Administration, based on what all of you have said to me, that I want you to communicate with all of my colleagues, including myself. Equally, on all issues. That's in the best interest of the Administration achieving their goals publicly and within this Council.

So, that's the recommendation back to them. Whether or not they do that remains to be seen.

Michelle Madoff:

I want to point out that we are as culpable as the Administration and I learned something today from my colleague. We were remiss when this contract was drawn in making sure that the contract said that Council would get a copy of the interim report. It didn't say that. It just said that it would be provided. It didn't say to whom.

It strikes me, if memory serves me well, that during the debate when Mr. Ferlo was vociferous in opposing what was happening, and Mike can go back into the Minutes, you will find that at that point I believe Mr. Ferlo said, "May we get those copies as they come through?" Do you remember it that way?

Would you please pull that from the Minutes because if it is in the Minutes, it is tantamount to being in the contract, legally. Am I correct, Mr. Attorney?

Mr. Cohen:

A case could be made, Councilwoman, for that. Yes.

Michelle Madoff:

Thank you.

If the Administration agreed to those terms or that agreement by virtue of it being verbalized and put into the Minutes, then I think there is a very strong posture for us to go after it saying that we get those interim reports yesterday.

If it isn't, then we learn something from that, that we never again appropriate dollars and

vote for the dollars unless we say, "Council will get a copy of this as well as the Administration and we'll have it by a certain date." We don't look at the contract that closely. We listen to what it's all about and the overall sort of concept, but we are not very specific. We need to be very much more specific, particularly in these hard times.

I'd like to also comment on what Mr. Ferlo said about the time frame. For those of you who have not gone through 13 years of budget hearings, and they've gotten better and better thanks to Mr. Milliones, but it use to be where the potentate sat and every department head sat all day long until he was called upon. Nobody got any work done. So, ever since I said let's put it on Cable, things got a little bit better.

But maybe even the process needs to change. All this dull review, over and over and over again at the table, just bores people to death and they lose interest in what's going on, maybe it needs to be revised and I think that's what I think we're saying. We'd like to sit down and talk with Mr. Milliones. What is the process, how can we change it and how can it be better?

For example, I'd like to talk about revamping the agreement on the Water and Sewer Authority, the lease back agreement with the City, so that even if we took in some of that delinquent \$12 million, it would go to pay off the debt service. I want that money to go into the general service. We need to look at that.

I think all of us have issues that we're concerned about, not the least of which how our communities are going to be funded for various and sundry programs so that it doesn't become, as was stated, a fait accompli.

The bottom line of all this, the thing I want to point out, was the traditionally in the 13 years I've been here, it has always been, "We have 20 minutes to vote or we're going to lose that

bond issue, we're going to lose the rate, and if we don't vote in 20 minutes the budget won't be ready." There's no time for anything substantive or meaningful or any input from this Council. And it's time that we said this is not necessarily a protagonist or anti-Administration. This is a good Council. The best Council that we've had in the years I've been here.

We need to sit down in the atmosphere of cooperation and say, "Okay, you have a tough road to go, Mayor. We want to help you. But you can't cut us out of the process. And we want to talk about things that are important." We need to stick together on that and we need to meet with Mr. Milliones and say, "Let's come up with a process that is better."

I would just like to point out. I used to do a review of the budget, an analysis of the budget every year, but nobody listened. The votes used to be 8-1. All the things, particularly the media that are listening, have very selective memory, selective memory in that for years I said no on the Zoo, give it to the County, make a present of it because they're not going to shut it down. Three-quarters of the people using the Zoo, the Aviary and the Conservatory are non-City residents. We'd pay our one-quarter. We'd pay our one-quarter and let the County pay their three-quarters.

I have stated for years that we needed to raise the mission fees for non-City residents. I was pooh-poohed and then finally, when things started to get a little tougher, they started raising it a little bit. And suddenly it's an idea that everybody had just discovered. It's something new; we just discovered it. It's like the report that was done when Tom Foerster called for Lucchino to go in and do Alcosan. Selective memory. For ten years I said we're having these junkets. We have these kids on patronage. And then the reporters say, "Isn't that wonderful." And the editorials say, "Mr. Lucchino did this

wonderful report, this scathing report on how terrible it is at Alcosan." Yes. But I said it for ten years. What's new?

It's time that, because we have this cooperative good Council that respects each other, that when any one of us, whether it's Michelle or Jim or anybody, Baldy, comes up with an idea that is good, we ought to stick to it and make it happen.

Thank you. I am off my soapbox.

The Chair:

I want to make one comment about the budget. If there are any ideas out there as to how we can improve the process, I am receptive to improving it. I am sure Councilman Milliones would be also, as Finance Chairman. And we need to talk about that.

But I just want to add to that comment that this budgetary process is more open and more accessible to the public and the media than any budgetary process that I am aware of in government. The School Board, I don't know what they do in the budgetary process and I don't think many people know. And they have a budget equal to us. The County budgetary process is limited compared to ours. The State, the Commonwealth of Pennsylvania, with the highest tax increase in the history of the Commonwealth, God only knows what happened there, because certainly the public doesn't. And the Federal Government, I don't know what goes on there also and it's very limited to the particulars of their budget.

This budget is open to the world to look at and we scrutinize it, I think, rather good. Now, if we can improve that, let's do it. But it's not as bad as all of us are saying it is.

Mr. Ricciardi:

Mr. President, I would just like to say that everything you have said is perfectly true. Our budget process is open. But you asked the question, how can we make this better and I think it has been answered many times in the past. What is very important is time, time to properly review each department. And if you look at past Councils and ours last year, we spend much much too much time on Grants and Donations and CDBG. We should be perfectly honest with ourselves. That should not take as long as it does. And then all of a sudden our departments come in, it's three, four days in and out, and obviously we want to pass the budget on time.

So, the suggestion has been given in the past by my colleagues and myself, and I believe even you, Mr. President, that we should start that process much earlier than November 1st.

The Chair:

If any Committee Chairperson, yourself of Parks and Recreation, wants to begin the process tomorrow with a post agenda style meeting, with the Director of your department, and go through the various aspects of Parks and Recreation, please do it. You have that authority as Chairperson of your Committee.

Michelle Madoff:

Schedule me.

Mr. Ricciardi:

We could brainstorm, Mr. President. But the question is, will the Director and the appropriate people come to that post agenda.

The Chair:

I believe they'd better if they're going to

come back two months later and want your support in the budget.

Michelle Madoff:

This is budget process. You say we can start early. I'd like to schedule the Water Department with bond counsel. I'd like to schedule it with Mr. Turner. I want to find out how we can revamp it. I want to make sure that the staff at the Water Department gives Mr. Perkins the people he needs to do collections because we're going to be confronted with those who haven't been abated saying, "Why are you giving the other people abatements?" We're going to be in big, big trouble.

Mr. Regan:

Mr. Chairman, I see here the Administration has become an easy dog to kick. Everybody seems to be jumping on the bandwagon.

But what I would like to say, in all my years of politics, I have never seen the lack of communication with any Administration and Councilpeople, or any elected officials with other elected officials.

You know, we all duke it out once in a while because we all are fighting for our communities and our neighborhoods. But you have to be able to communicate and there's no communication at all at times with our Administration, and I think that's sad. I like the Mayor; I think she's a very fine lady. And she doesn't have an easy job; it's very tough. And I like to say when the budget, you show a \$30-35 million deficit, you become an easy dog to kick. And we're not here to do that. But when you can't communicate with people in government, then we've lost what we're all about representing the people of this great City of Pittsburgh. The one thing that I would have to say is the lack of

communication in the Mayor's Office and the Administration.

I would personally like to, at this time, thank the media and Egbert the Owl, and I would like to show some results here of what I've been going after with marketing and promoting.

1990, Saturday the 22nd, 199 people visited the Aviary. Sunday, the 23rd, 204. On the corresponding dates, this year it went from 199 on Saturday to 550.

On Sunday, it went from 204 to 376. Corresponding dates, Saturday, the 29th, 224. Saturday, the 28th this year, 919.

1990, Sunday the 30th, 134 people. Sunday, the 29th of this year, 577 people.

So, I'd like to thank the Pittsburgh media who have always been good to me. I think that it has been through Council's efforts and the people's efforts that we're going to pull this thing together and not only save the Aviary but make it pay for itself with some restructuring that you have initiated, Mr. President, and I commend you for that.

I also would like to say that we talked about no communication in regard to this Fire Study which they've pumped \$195,000 of the people of the City of Pittsburgh monies, that we know the answer before they ask for the \$195,000. It was a done deal before it even started, so why waste \$195,000 to do a study that you already know the answer to. We have enough capable people in the City of Pittsburgh that we could have done our own study and used that \$195,000 in the neighborhoods.

I have also asked for information on City Court, months ago, which I have not yet received. I can show a \$1.6 million savings with a duplication of service. You don't send two

garbage companies to pick up the same trash, or you don't send two newspaper reporters to do the same story, and you don't send two judges to operate in the same neighborhood. And that's what we have. And when we get the final figures, it will be over \$1.6 million and I never hear that mentioned at all. Thank you.

The Chair:

A quick follow up on the Aviary. Just one example that the Administration is communicating. Council directed a letter to the Mayor's Office signed by every Member of Council on Friday asking for the rehabilitation project to proceed immediately, the Marsh Room at the Aviary and all the attention that Councilman Regan has brought to that.

Mr. Turner informed me as of late yesterday that that work has begun again and will be completed.

So, there is an instance where they are communicating and I'm pleased to see that. And certainly the attention Councilman Regan has brought to the issue has been very important.

Michelle Madoff:

Mr. Wagner, you know, one picture is worth a thousand words and sometimes one episode is worth a million words.

It seems to me that repeatedly both you and I have introduced legislation, or I've supported your legislation, to create a Marketing Division under the Administration. And I think last year, was there \$40,000 that went into that effort, which is a pittance. There's a luncheon today at the Convention Center which I will leave for in a minute because it all ties into the same issue.

But I think that Mr. Regan has pointed out graphically that we really need to start marketing

our resources here and that is something we haven't done, not only locally but out of this area, in an area where the population has gone from 700,000 down to about 365,000. When you see blight, it breeds more blight.

We've got to bring people back to this community. We've got to be creative and innovative. And one of the things we have to start doing is some very serious marketing.

The Chair:

I'd like to change the subject slightly just for a moment. I have a comment I'd like to read and then I would like everyone's input, if not today in the future.

The problem of lead poisoning is a rising concern in this country, especially for inner-city youth. As Members of Council, it is our duty to be in the forefront on this issue as we combat this problem.

Councilman Regan has already begun an effort towards relieving this problem. If you recall several months ago, a post agenda hearing on that issue where we had several doctors from the University of Pittsburgh here and others from Allegheny County in regard to the problem.

Along with our fellow Councilpeople, I request that all Members of Council prepare a list of names to be considered for a committee dealing with the problems of lead poisoning. This committee will define the extent of the problem in the City of Pittsburgh.

Any further recommendations or actions this committee suggests will receive serious consideration, I would hope, from this Council and the Administration.

On behalf of the City residents, especially the children of Pittsburgh, this body resolves to

work forcefully to eradicate the problem of lead poisoning. And I know Councilman Regan and his office have coordinated this effort.

Michelle Madoff:

And I had a resolution and a physician here.

The Chair:

Thank you.

Basically, what we are asking as part of this is, we want to create a committee and we would like your recommendations for anyone to sit on that committee and coordinate that effort with Councilman Regan. So, hopefully within the next week, we could receive any names.

Mr. Regan:

Thank you, Mr. President.

Mr. Cohen:

I'm a little bit confused on that, Mr. President. I commend Councilman Regan's efforts. I thought that a committee was formed already. Do you want to beef up that committee?

The reason I say that is because I recommended somebody who has become Chair of that Committee, is my understanding. Do you want to beef it up?

The Chair:

We want to formalize it. We want to formalize it and get other Councilmember's input as to whether or not anyone should sit on it and then formally create that Committee as part of a Councilmatic action in the future.

Mr. Cohen:

I think it's a good idea. This issue is worth having a formal committee about. I know that they have been working fairly hard and we're lucky to have the doctor who apparently is the foremost authority in the world who is advising that committee through Councilman Regan getting him.

So, let's do that and hopefully when the results come back we'll be able to implement them.

My understanding is also, I just got a letter from the Chair, his name is Andy Gespass, that the federal government has about \$1.5 million that they have allocated for cities to use for studying the lead poisoning issue. And if we could possibly add into your resolution the attempt to get some of that money here in the City of Pittsburgh, we should pursue that together.

Mr. Regan:

I'd just like to commend Councilman Cohen for recommending him to us and he has been made Chair. He's a fireball and he knows a lot about this lead poisoning and he's going to be very helpful to us in a drive to help the kids in the City of Pittsburgh.

Mr. Ricciardi moved to approve the Minutes of Tuesday, September 24, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

I need a motion to recess until after tomorrow's Standing Committee Meeting so that we can finally vote on the bond issue if the numbers and all the information is available.

Mr. Cohen:

So moved.

Mr. Ferlo seconded the motion.

And on the motion of **Mr. Cohen**

Council recessed.

Pittsburgh, PA

Wednesday, October 2, 1991

And the time of recess having expired,
Council reconvened.

Mr. Milliones presented

Bill No. 3200

Report of the Committee on Finance for October
2, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3183

A Resolution entitled, "Resolution authorizing the incurring nonelectoral debt for the purpose of providing funds for refunding and for Capital Projects, by the issuance of General Obligation Bonds, in the aggregate issuance amount of \$45,000,000; accepting a proposal; providing for maturities, interest rates and redemption features; covenanting to pay debt service; pledging full faith, credit and taxing power for the payment of the Bonds; appointing a sinking fund depositary; establishing a sinking fund, appropriating the Bond proceeds; ratifying prior advertisement and directing further advertisement; authorizing the

payment of expenses; ratifying preliminary official statement; authorizing approval of the final official statement; adopting a form of Bond; authorizing the purchase of a policy of Municipal Bond Insurance; and repealing inconsistent resolutions."

Which was read.

Michelle Madoff:

One quick comment. In the very brief time that we had today, and you couldn't check until you knew what the interest rate was, the interest rate, as you know, is going to be 6.4. As I said earlier, it is conceivable that this is a low interest rate because there are very few bonds out there and the competition is keener than usual. When the economy is good and there are a lot of bonds floating out there, there's all this kind of hanky-panky going on.

I'm going to assume that this is the best rate and we're going to find out by calling one of the tracking agencies who keep records of what the bonds were issued the last two weeks and two weeks forward.

I did check an Alcosan bond, unlike the 6.4, is 6.50. Incidentally, if you buy today, you buy at discount; it's worth 6.66. Do you understand that? You buy a lower rate, it goes to par, and then it goes down to 6.4.

The Chair:

Bring all of our comments forward for the Record, please.

(REMARKS ON FOLLOWING PAGES)

(COUNCIL'S COMMENTS ON BILL No. 3183-Wednesday, 10/2/91)

Mr. Ferlo:

Can we get an overall explanation to start out with?

Mr. Hayllar:

This is the city's general obligation bond issue that we have traditionally done once every two years. We have downsized the issue from \$60 million, the original amount, to \$45 million in an effort to save money, particularly for debt service for next year's budget. The bonds were marketed yesterday and the net interest cost to the city is 6.4 percent. I wish we could say we were incredibly clever, but the fact is we caught the market in an extremely low point and resulted in an extremely favorable interest rate to the City of Pittsburgh.

(Deleted text.)

Michelle Madoff:

I have a number of questions. Mr. Hayllar, was this negotiated or competitive?

Mr. Hayllar:

The process is a negotiated one. We have, with the Urban Redevelopment Authority, had a competitive process to interview I believe 16 underwriting firms. We chose ours based in part on that interview. But technically speaking, it is a negotiated deal.

Michelle Madoff:

You know my feelings on negotiated versus competitive. I have before me something you may or may not have seen, it is a compilation of all the bonds in Allegheny County for a four year period: 1986 to 1990, whatever. The point is, those are all Pennsylvania bonds, and when we look at the negotiated bids, almost invariably the interest rate is higher, the cost to the city tax or rate payer is higher than when we go to a competitive bid. I will grant you that when times are tough, the way they are right now, the bidding is much more in line, because everybody wants the bid and they bid as low as they possibly can.

I am suggesting very strongly that this Council think very

seriously about hiring our own bond counsel, because let me give you a for instance. In the ALCOSAN bond that I bought at 7.45, there was nothing that day anywhere in the United States, never mind in Allegheny County nor the state of Pennsylvania, that was over 7.2 AAA insured. If people understand the difference between 7.2 and 7.45 and what that means is if you go -- it is like going to get a mortgage, it is like going to the bank and saying, "I will give you your mortgage at 7.45 or I will give you a mortgage at 7.2." Well, that means the difference to the person paying is a \$6 million difference over a 30 year bond. When you multiply that over negotiated bonds, over and over and over again, the cost to taxpayers and rate payers goes into the multi-millions of dollars. It is millions, not 6,000 or 600,000.

There is nothing we can do right now; the fat is in the fire. We are not going to hold up the bond, delay the construction period, because our major expense is capital improvements and we can't do anything at this point. But I strongly urge my colleagues to undertake hiring a consultant for ourselves so we can review all authority bonds, and all bonds in the future.

My gut sense, because I buy bonds all the time and sell bonds, is that 6.4 is not a good rate, that the difference is just a few basis points, and basis points -- it will mean that we are paying more on this bond than we have to pay. I absolutely believe that with all my being.

Mr. Hayllar:

On what do you base that? I would point out to you that 7.4 --

Michelle Madoff:

6.4 on the market today is not that good.

Mr. Hayllar:

You are just plain wrong. I would point out to you that 7.45 percent is higher than 6.45 percent. Your own example --

Michelle Madoff:

I made money on it that I shouldn't have made, because I would have bought it at 7.2. That was a good rate.

Mr. Ricciardi:

Point of order. Let the Director finish.

Mr. Hayllar:

Councilwoman, the example you raised is a full percentage point higher than the rate we are presenting to Council for approval.

Michelle Madoff:

We are talking about four years later.

The Chair:

Excuse me, Mr. Hayllar. Let's proceed.

Michelle Madoff:

I want to clear that up for the public so there is nothing confusing about this. I just want to clarify. What I am saying is Mr. Hayllar has told us that he wants us to vote today on a \$45 million bond, normally \$60 million, because we want to keep the debt service down we have gone to \$45 million. I don't have a problem with that. He has now come in with an amended bill so we can deal with the rate, and I believe the rate is now 6.4 percent. The city will have to pay 6.4 percent not counting bond counsel and all the other expenditures involved in order to get \$45 million.

What will the true cost be to the city, Ben?

Mr. Hayllar:

I am sorry. The true --

Michelle Madoff:

The total cost to the city for bond counsel and all the expenses?

Mr. Hayllar:

The cost of issuance is just about 2 percent of the issue. That is within the \$45 million, that is part of it.

Michelle Madoff:

How much will we actually get of the \$45 million?

Mr. Hayllar:

Not counting capitalized interest, approximately \$44 million.

Michelle Madoff:

So we are going to have \$44 million, we are going to spend \$1 million to issue this bond. That is for bond counsel?

Mr. Hayllar:

That is also for insurance.

Michelle Madoff:

MBA?

Mr. Hayllar:

Yes, MBIA, for insurance, which is a little less than \$400,000.00.

Michelle Madoff:

Which allows to us sell it at a lower rate.

Mr. Hayllar:

Tripple the rating, yes.

Michelle Madoff:

Again, I make my point, I believe that we should have been able to sell this somewhere maybe at least 6.2, and it would have saved the City of Pittsburgh multi-millions of dollars. I do not want to see negotiated bonds.

The Chair:

Are there other questions of the Director regarding this bond?

Michelle Madoff:

I have a question. I am not through.

The Chair:

You are through. It is someone else's turn.

Mr. Ferlo:

First of all, what is the current balance of the existing bond fund?

Mr. Hayllar:

I submitted this to Council a couple days ago. All existing unencumbered bonds, about \$25 million. We must, on November 15th, repay a \$30 million note which Council approved this winter. It is the note that we did competitively and got no bids on. But that has to be paid off on the 15th.

Mr. Ferlo:

What is the actual unencumbered bond fund available, in the existing capital budget?

Mr. Hayllar:

25 for all sources.

Mr. Ferlo:

Unencumbered?

Mr. Hayllar:

Today, yes.

Mr. Ferlo:

Again, going back to this element on Page 2 of this proposal, it basically says that City Council has considered both the advantages and disadvantages of a negotiated sale versus the competitive bid. I voted no in the past on this issue of not having a competitive bid, I will probably vote no again, because maybe partly because I don't understand or have yet to be presented by information from the Administration to

verify that very issue, the advantages and disadvantages of one versus the other. Your contention always is that --

Mr. Hayllar:

Before that sways your vote, let me very briefly point out that in the competitive bid you are at the mercy of the underwriter who presents the lowest bid. I don't think that is in the city's interest, in that you need to work with your underwriters to structure the deal so you end up with the lowest bid, which is what happened yesterday. The reason the legislation is changing is the structure of the issue was changed in order to give us the best market conditions.

Mr. Ferlo:

Let me ask you a question: Have you done an analysis of similar bond issues, either in Pennsylvania or around the county in cities that have similar bond ratings?

Mr. Hayllar:

The most recent one, which I believe this is the bond buyer, indicates at this time that the spreads on a negotiated are now below the competitive. You can review that.

There is a legitimate choice in going either way. I would point out again that the one time in this year we used a competitive process, we got no bids.

Michelle Madoff:

You knew it was going to happen.

Mr. Hayllar:

No, I didn't know it was going to happen. George Bush knew it was going to happen, the Joint Chiefs of Staff.

Michelle Madoff:

Michelle Madoff knew.

Mr. Hayllar:

You didn't tell me.

Mr. Ferlo:

You feel, your thorough review of the department, is that you feel you have gotten a better rate?

Mr. Hayllar:

I don't have any question about it. This is amongst the best rates we have seen in a long time. I would also point out that ALCOSAN is marketing their bonds at the same time. They haven't completed, but the long bond, the 2,016 bond, we are 9 basis points under them. So obviously when compared to at least one local issuer, the pieces we are seeing shows that this is an extremely favorable rate.

Mr. Ferlo:

You haven't specifically done a review of other cities that have similar bond ratings as we do where you have gotten an assessment on negotiated versus competitive?

Mr. Hayllar:

The ones we have seen are inconclusive. Sometimes one is higher than the other, sometimes they are not. It really depends on a lot of variances.

Mr. Ferlo:

When will this revenue be received?

Mr. Hayllar:

I believe on the 7th of November.

Mr. Cohen:

Thank you, Mr. Chairman. Director, let me ask you some basics about this bond issue, first of all. \$30 million of the \$45 million is going to be used to pay off the capital note from last spring?

Mr. Hayllar:

That is correct.

Mr. Cohen:

Why is it done in that form as opposed to -- kind of a lump sum form -- as opposed to just periodic debt service on that bond?

Mr. Hayllar:

Why did we do the note?

Mr. Cohen:

Yes. Does that pay off the full amount of the capital note from last spring?

Mr. Hayllar:

Yes, plus the interest, which brings it up to 31 something, I believe.

Mr. Cohen:

Why is it done that way?

Mr. Hayllar:

We did it this year because we were running out of capital funds. We wanted to keep grinding not only the city's economic pump, but keeping our projects going. In that time of year without having the city's audit, we did not think we could sell the bonds appropriately. So we did the note, which is due on the 15th. We traditionally have sold our debt about this time of year. We have the capper coming in at an earlier date, we will be able to move this to an earlier point in the year in the future. But we had to have that before the rating agencies would review us.

Mr. Cohen:

When you brought this bond down from \$60 million to \$45 million, what is suffering in the short-term?

Mr. Hayllar:

Probably nothing. If we need funds next year, we are in a position to go out again. We like to do the once every two years, because it keeps the cost of issuance down. But if we

need the funds, we are in a position to go out again. We wanted to keep the debt service at a level of \$2.5 million additional for next year. This achieves this.

Mr. Cohen:

Essentially what you are saying is that the reduction in debt service exceeds the cost of issuance for that period, because if we are going to have to get a bond again next year, we are going to have to pay the cost of issuance, but we have lower debt service this year? That is a decision I prefer your judgment on.

Let me get back to the question of negotiated versus competitive for a moment. The last general obligation bond that we did, was that competitive or negotiated?

Mr. Hayllar:

Negotiated. The note was a competitive one. Ultimately we ended up doing it negotiated.

The other way of looking at it, Councilman, is I think it is in the city's best interest to hire its own help instead of having its help hire us. When you negotiate, you can hire the individuals you want, as opposed to having them decide if they are in charge.

Mr. Cohen:

Unlike Michelle, to the best of my knowledge I don't think I have ever bought or sold a bond, so let me ask you this question: My understanding, though, is that general obligation bonds are fairly easy to issue, as opposed to revenue bonds.

Mr. Hayllar:

That is correct.

Mr. Cohen:

Why, then, did we need to have a negotiated underwriter here as opposed to a competitive one, given that they are fairly easy to do?

Mr. Hayllar:

The experience this winter was probably overriding in my mind; I do not want to go through that type of problem again.

Secondly, it has been our experience that we get better service from our underwriters when we hire them. It is a complicated proceeding. Even though GO's do not have the complexity, say, of the Water and Sewer Authority issue that Councilman Ricciardi just went through a few months ago, you still have access to the people doing the work, there is a frequently of meetings and information that we feel is important that you get literally when you hire your own employees, instead of having them hire you.

Mr. Cohen:

Last question. You said you marketed this bond yesterday. What is Council's authority here, then, if the bond has already been marketed?

Mr. Hayllar:

I bring to you the price that we achieved, you hopefully will approve it. You are in a recessed meeting from yesterday, you must return to the other side of the room, formally approve it, and then we are able to proceed. We got good faith money from the underwriter, a check, which we then deposit, and then on the 7th of November we get the remaining amount of money. This does require Council approval.

Mr. Cohen:

Did you have to market this before Council's initial approval?

Mr. Hayllar:

Yes. That has been our procedure. Then we come back with the number.

Mr. Cohen:

I see. Otherwise, we wouldn't have had the number?

Mr. Hayllar:

That is correct. I think you want to know what it is going to cost.

Michelle Madoff:

I am not going to pound on you, but ask you politely for two things. Would you supply this Council with all the bond issues in the United States, which is a blue book, you just have to give us a sheet. There are agencies that prepare it and watch it every day, you just have to ask for the sheet on all the bonds that have been issued in this two week window frame; two weeks prior to this issuance and two week coming up. I want to see how the bonds compare on rates, No. 1.

No. 2, I want to ask you, are you familiar with this document (indicating)?

Mr. Hayllar:

Certainly.

Michelle Madoff:

Do you know that the document says before making any private sale by negotiation of bonds or notes, the governing body shall adopt a resolution finding that a private sale by negotiation is in the best financial interest of local government unit? Which is why we need our own consultant.

Did you present us with legislation to adopt a resolution asking to us go to negotiations, as opposed to going to competitive bid?

Mr. Hayllar:

You are extracting a statement out of context without having given me the courtesy of seeing this before.

Michelle Madoff:

I thought you knew it, because you issue bonds. I am learning.

Mr. Hayllar:

The law is a fairly complicated item. Let me say that I believe from what you have said that this is not a private sale, it is a public sale, so I believe you may be referring to another item. Secondly, there may well be in the authorizing legislation of the budget a blanket authorization to do this when it is necessary. If you want to engage counsel, our bond counsel is here, I am sure he can take a minute and look at

this.

Michelle Madoff:

I would appreciate an answer, because it seems to me -- I'll give you a copy -- that the Act says -- and fortunately, Bill Urbanic in my office discovered this, because I didn't know it either. Ben, I am not trying to chastise you.

The Chair:

Excuse me. There are other questions. I don't want to have this protracted discussion about competitive versus negotiated.

Michelle Madoff:

This is illegal.

The Chair:

Excuse me. This person cannot come to the table, it is not procedure to have people who are not staff come to the table.

Michelle Madoff:

We do it all the time.

Mr. Coyne:

No, we don't.

The Chair:

Unless everybody agrees. Mr. Wagner, do you have questions of the Director?

Mr. Wagner:

Yes.

Michelle Madoff:

Would you let him come to the table to answer my question? I want an answer to can we pass this bill today without having a resolution by the governing body to permit a negotiated sale. I believe we cannot, according to my understanding and the

research my office has done. We can't even vote on this thing today, it will be illegal, unless we get an answer.

Mr. Wagner:

Let's ask our Solicitor.

Ms. Conturo:

I believe that the resolution that you have before you includes that decision that you have considered negotiated.

Michelle Madoff:

That is not what this says. It says under the Act, the Act of 1981 --

The Chair:

You have asked the Solicitor for an opinion. May we have her opinion, please?

Ms. Conturo:

It is included in this resolution.

Michelle Madoff:

It says you have to do it in advance.

Ms. Conturo:

This is in advance of you signing the purchase contract. The procedure is you pass the resolution and then you sign the purchase contract.

Mr. Coyne:

Advance of the final passage.

Mr. Hayllar:

I believe that is what you are saying there. Not having seen this before, it is very hard to give off the top answers. Councilwoman Madoff has gone to a great deal of difficulty to impede this process. Had you given us that 20 minutes ago, we could have had a good answer for you.

Michelle Madoff:

Ben, I think that is an unfair approach and I want to be very direct with you. If you are to give us, to get a resolution from the governing body that says you may go to a negotiate bond, you don't include it in the body of the bond, because we are not a sophisticated financial body, perhaps we should be, but I am learning and trying very hard to become more educated.

I think what you are doing is illegal. I don't think you can give us a copy in the bond itself. I don't think it would be very difficult to do it as a separate piece.

Mr. Hayllar:

I believe that is the way it is being done.

The Chair:

Mr. Wagner has the floor.

Mr. Ricciardi:

Point of order, Mr. Chairman. I didn't hear the Solicitor's response because other people were speaking. If we could go back to her response before Mr. Wagner, please?

Mr. Wagner:

If I may interject even on the point of order, maybe Miss Conturo could look at that and give us a legal opinion within the next five minutes. In the mean time, we can continue with questions.

Ms. Conturo:

Actually, I have looked at it. The resolution does include the specific statement that is required by the state statute. It says that you have considered a private sale by negotiation and you have determined it is in your best interest.

Michelle Madoff:

I didn't vote on that.

The Chair:

Would you stop interrupting, please?

Ms. Conturo:

Your voting on this resolution does include that concept.

Mr. Wagner:

Director Hayllar, could you please give us a breakdown of the cost of issuance as to the various companies involved, underwriters, bond counsel, et cetera, and the fee structure related to each? I mean a real definitive breakdown.

Mr. Hayllar:

As soon as I find the right paper. Not accounting what amounts to capitalized interest and money that goes into the sinking fund, the insurance costs \$338,000.00, the financing costs are \$150,000.00, the underwriting spread, which is what the underwriters get, is \$396,000.00.

Mr. Wagner:

Okay. Could you give me in writing a breakdown of that and all the companies involved?

Mr. Hayllar:

I believe you have that in what I gave you earlier. The bond counsel is Michael Stabile of Eckert Seamans, the underwriter is Lazard Freres, priorly Arthurs Lestrangle and Mellon Bank.

Mr. Wagner:

There are also other companies involved. I would like to know who is making what here on this \$45 million, simple as that.

Mr. Hayllar:

That is no problem.

Mr. Wagner:

Who is printing the bonds, the whole works.

Mr. Hayllar:

Much of that is included in the material.

Mr. Wagner:

And in addition, as to whether or not those companies are city based companies, I would like to know that.

Mr. Hayllar:

No problem.

Mr. Ferlo:

I realize because I am voting no on the bill, I shouldn't keep talking, but I still have one concern.

Director, how much of this financial activity involved that you are proposing right now because of the bond issue is because of the proposal that you will be submitting regarding some of the city departments that traditionally, where we paid operating cost dollars for employees in General Services or E&C and some of the other departments, my understanding is you are now proposing to shift some of those payroll costs that traditionally have come out of the operating budget and will propose in the future that those expenditures be paid as a result of bond funds?

The reason I am concerned is I think we need to live within whatever revenues we have. I don't want to rob Peter to pay Paul. We have an operating budget that if we can't have the revenues on a yearly basis, I don't want to extend the city and have to borrow \$1.00 that is going to cost me \$1.80, whatever the price is. We should be living within the means of the operating budget.

Mr. Hayllar:

The Department of Engineering & Construction salaries have always come out of --

Mr. Ferlo:

That has always the case. But my understanding is you are

starting the process with Parks and General Services, possibly some of the other departments.

Mr. Hayllar:

No, I don't believe so. There has been consideration of capital maintenance costs, people who do, for example, General Services personnel who might do work on capital projects.

Mr. Ferlo:

It is one thing to collect the tax dollar and spend it each year and living within whatever means you have, but it is another thing to not live within the means and borrow.

Mr. Hayllar:

You are correct. We are talking about John Lindsey finances.

Mr. Ferlo:

I don't know John Lindsey, but I know Jim Ferlo.

Mr. Hayllar:

You are correct, and we avoided that.

Mr. Ferlo:

These monies you are presenting to Council are for the refinancing of the previous debt service, the \$30 million?

Mr. Hayllar:

Yes.

Mr. Ferlo:

Whatever readily available monies will go to pay for what? You mentioned the Public Safety Complex. When will these bond funds be used?

Mr. Hayllar:

Between now and the end of next year. If we are running short, we will have to go out again. We anticipate this will

carry us through 1992, and it will be for the general -- you know, what Council passes in the capital budget.

Mr. Ferlo:

But that wouldn't rule out coming back in the spring for a tax anticipation note of some sort?

Mr. Hayllar:

I don't expect a tax anticipation note, since that is used for operating purposes. I would not expect a capital note next year, because that would suggest the money is being expended much quicker than traditionally it has. I expect this money to carry us at least through 1992. If I am surprised and wrong, then we will do another issue.

Mr. Ferlo:

I want the record to know I am voting no because I believe this should be a competitive bid.

(End of remarks)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Mr. Milliones
Mr. Regan

Mr. Darkins
Michelle Madoff

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

And on the motion of Mr. Milliones

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, October 8, 1991

No. 39

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, October 8, 1991

PRESENT:

MR. COYNE	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. COHEN

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presents

No. 3218 WHEREAS, the Hays Ammunition Plant is located in the 31st Ward of the City of Pittsburgh; and

WHEREAS, the Hays Ammunition Plant was built in 1943 to produce artillery shells for the military, employing 1600 people; and

WHEREAS, the Hays Plant is an industrial-type building of 250,000 square feet on 8 acres of property; and

WHEREAS, the 31st Ward Citizens Council desires to have the plant become productive, produce jobs and improve the 31st Ward; and

WHEREAS, the Steel Valley Authority is an industrial development agent of the City of Pittsburgh and is developing a re-use plan for the site.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare the Hays Ammunition Plant an industrial development project of the Steel Valley Authority.

Mr. Coyne moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 3219 WHEREAS, the Betty Smith Shelter, No. 24, was organized in 1936; and

WHEREAS, the Members of the Grant United Order of Antelopes of America are referred to as Fellow Travelers; and

WHEREAS, the Order has made contributions to national organizations such as the United Negro College Fund; and

WHEREAS, the Order has made contributions to Pittsburgh area agencies such as the Lemington Home for the Aged and the St. James Deaconess Home; and

WHEREAS, the Order has awarded scholarships to deserving students in the amount of \$1000.00; and

WHEREAS, the Order continues to develop leaders in the African American community; and

WHEREAS, the Order will hold its Grand Session on October 11, 1991 through October 14, 1991 at the Hyatt Hotel, Pittsburgh, Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes The Grand United Order of Antelopes of America for its outstanding contributions to the African American community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims October 11, 1991 through October 14, 1991 as "Grand United Order of Antelope of America Days" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like all the representatives from the City Pride effort to come forward, representatives from the Steel Valley Authority, and Local 12 Bakery, Confectionary and Tobacco Workers' Union, some of the workers and their families, and representatives from the Lawrenceville Development Corporation.

Mr. Ferlo presents

No. 3220 WHEREAS, The City Pride Bakery is a major employee-community-private partnership to re-build a mainline bakery in Pittsburgh, started by the former Braun Bakery workers and the Steel Valley Authority, with the support of the City of Pittsburgh, the Pittsburgh URA and the entire community in 1989; and

WHEREAS, The City Pride Project successfully closed on its financing on September 27, 1991, assembling \$8.8 million to establish the company headquarters on 39th Street in Lawrenceville; and

WHEREAS, the Project Manager for the Company was Dan Curtis, the Chief Executive Officer, who relocated to Pittsburgh, provided entrepreneurial leadership and assembled a brilliant management team, given the great support of the Giant Eagle Corporation and Penn Traffic Company; and

WHEREAS, the Steel Valley Authority (SVA) was Project Leader since the Spring of 1989. The Steel Valley Authority guided the fight of the Braun Bakery workers to save Braun

Bakery, helped start up City Pride, and assisted with raising funds for critical stages of the business development; and

WHEREAS, the complex financing package represents a major coalition to start up this new business, and includes:

- Mellon Bank as the lead bank in a consortium which includes Pittsburgh National Bank, Integra and Equibank;

- The URA, the Commonwealth of Pennsylvania, the City's Job Training Agency and the Allegheny County Countywide Loan Fund;

- The Lawrenceville Development Corporation, Bloomfield-Garfield Association, and the East End Alliance, which will invest in the company through a loan from the Pittsburgh Partnership, and a grant to the federal Department of Health and Human Services and many local and national investors; and

WHEREAS, The City Pride Proejct had phenomenal support from Mayor Sophie Masloff, City Council, the Allegheny County Commissioners, the Governor's Office, Congressman Coyne and others at the federal level, County and State Legislators, the County, the AFL-CIO, the Tri-State Conference, the East End community and religious groups, and the Buncher Company, which will be completing the Bakery's new 100,000 square foot building site on the Allegheny River in Lawrenceville.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh formally commends and congratulates the extraordinary major partnership which built the new City Pride Bakery; and

BE IT FURTHER RESOLVED, that City Council especially recognizes the sacrifice and

diligence of the Bakery Workers Union and City Pride Bakery worker-owners, who fought for so long to make their "Miracle on 39th Street" dream come true; and

BE IT FURTHER RESOLVED, that City Council applauds the hard work of the Steel Valley Authority, which, through its City-sponsored efforts to provide "early warning" and a "job dislocation strike force", organized the political and financial coalition which resulted in this astounding victory for the workers and people of the City of Pittsburgh and region.

Mr. Ferlo moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo:

At this time I'd like to introduce Sam Pappa who certainly is no stranger to these Chambers. Sam goes back a long time with his own union, the Bakery and Confectionary and Tobacco Workers' Union, Local 12. There are other officers here today. This gentleman also is a national leader within the union all around the country. This union is distinct, probably out of all the national AFL-CIO unions, has one of the best packages, I know, and the health care and its pension fund. And I hope that they'll be striving to represent the same type of leadership for the workers at The City Pride Bakery.

At this time, I'm very honored to introduce Sam Pappa.

Mr. Pappa:

Thank you, Jim, and thanks to the Council for passing this resolution.

I think the resolution speaks for itself.

The fact that we have succeeded in our project here to bring about an aesop was only due to the fact that we had so many people involved in this project that need to be given credit for. Certainly Tom Croft, the Director of the Steel Valley Authority played an important role in this project lending technical advice right from the inception.

I certainly want to commend City Council here because I'm quick to remember that going back more than 2-1/2 years ago when we were struggling to create an aesop here, it was City Council here who first made that dream possible by providing a grant for a pre-feasibility study. Without that grant money which came from the City as well as the County and other government sources, this project would have never gotten off the ground to begin with.

I think all that needs to be done now is to utilize the funds that we're getting from the bank consortium and other sources, get the equipment which has already been bought, have it brought it, installed into the new bakery, and get that good product out on the streets so that our citizens in this City are going to support this project not only for the City but certainly for the workers who work in that project.

Thank you very much.

Mr. Croft:

I'm Tom Croft from the Steel Valley Authority. I also wanted to express great appreciation to Councilman Ferlo, to Council President Wagner, to Councilpersons Coyne and Madoff, and others from this Council who really stood squarely behind this project from day one, from the start of this project.

I think that the so-called Miracle on 39th Street, as we're calling it now, represents a national victory and we will receive a lot of national acclaim for this project since it

represents such a diverse financing. And also, it's going to represent a beginning in Pittsburgh in terms of a new way of running a business. We will have not only a worker ownership and worker produced participation, but it also will have the community owning part of the company. I think that's a major new way to make sure that companies are going to be responsible and that they're going to be around for a long time.

Lastly, we hope this sends a signal to other corporations that before they decide to unilaterally pull out of Pittsburgh, they should think twice because people in Pittsburgh are showing that they're not going to let companies run over them and if they have to take over and run business, then they'll do that.

So, again, I thank you very much for your support and we look forward to the ribbon cutting which should be coming within the next few weeks and it should be a grand event. We'll invite all of you as well as the citizens of the City of Pittsburgh to that event. Thank you.

Mr. Ferlo:

I just want to say that, unfortunately, our job is still not complete and I'd like to issue a call to all my colleagues who are professionals at promotion, especially my colleague, Mr. Regan, and certainly the public in Pittsburgh and throughout the region. When this product hits the shelves which, hopefully, will be sometime in the Spring after equipment gets moved in and the plant gets figured out and all the work that needs to be done in the coming months, it really gets down to pushing this product and promoting this product and everybody buying this product.

It's going to be easier to buy this product because it's going to be a quality product, unlike bread that gets shipped from many states and is stale and has so much formaldehyde in it that it's

got to stay fresh on the shelves. This is going to be a class product that people will want to buy.

But we need to promote that product and City Pride Bakery products has to be on everybody's kitchen table and I'd ask the public and Council to join in promoting that initiative because we're pretty skilled at promoting things.

Michelle Madoff:

I just wonder whether they have talked to the chains yet, the Giant Eagles and so on, to make sure that they carry it.

Mr. Ferlo:

Giant Eagle is an intimate part of this whole financing package, including their shelf space. So, yes, they will be part of it.

Michelle Madoff:

What I wanted to say, not only is this a tremendous pride for the people who are saving the plant and the benefit of jobs for the community. But if you have been reading the paper, every day there's another company going out and there's another union that says, "Let us take it over." There was one in the paper today and one in the paper yesterday and I hope they'll take a lesson from what you've done and I hope you'll go and help them and tell them how to do it.

Mr. Ferlo:

This group, the Steel Valley Authority, was also instrumental in keeping another company in Lawrenceville, the Cytemp Company, through early warning, getting involved with the company and the management and the owners. As a result, that company remained in Lawrenceville.

I think what we need to do is continue

what this Council has been doing for many years, and that is supporting very creative efforts like the Steel Valley Authority who are willing to work with the working people in these various plants and factories and facilities, when others who feel that their profitability is better with treasury bills or other things. We want to keep working people working and keeping our plants producing.

So, I hope that Council, as I'm sure we will, will continue to utilize our Community Development Block Grant monies, our grants and donations, whatever resources we have to keep groups like the SVA funded and keeping them very productive.

Speaker:

Mr. Council President and Council Members, on March 14, 1989, I stood before this Council and Council passed a resolution urging Braun Baking Company to continue production here in the City of Pittsburgh. Unfortunately, it fell on deaf ears.

On May 18, 1989, City Council passed a resolution in support of the Braun workers effort to create an aesop and I would like to thank all the City Councilmembers, past and present, for all their efforts to help City Pride. Thank you.

Mr. Pappa:

You know, Continental Baking Company had been acquired by Ralston-Purina back in 1985. In that process, that closed 18 bakeries throughout the country and we were to be their 19th victim. I might say that since this project began 2-1/2 years ago, Continental Baking Company has not closed another bakery. So, maybe they got a message from what we've done here also. And, hopefully, they're not going to close anymore for a long time to come.

There has even been talk recently that they're talking about moving production back into Pittsburgh; so maybe they're fearful of this kind of competition. This may start an influx of bread bakeries coming back into this area. This area used to flourish with bread bakeries many years ago and gradually, one by one, they left the City. Maybe we can start the trend back again with our project. Hopefully. Thank you.

Mr. Regan:

I would like to make one comment. I would like to commend the Little Flower, our illustrious President Pro tem, because he does a tremendous job with working people. I have always felt that we're the number one city in the world, not just the United States, and the reason is people like Jim who go to work and work hard for the working people because it takes a lot of bright people to put together these corporations and companies, but to make us number one it takes the working people, and I commend the Little Flower and I commend the working people of the City of Pittsburgh. Thank you.

The Chair:

Thank you all very much.

Mr. Regan presents

No. 3221 WHEREAS, home fires killed every 100 minutes in the United States in 1990; and

WHEREAS, more than 4,000 fire deaths - about 80% of total U.S. fire deaths - occurred in the home in 1991; and

WHEREAS, children under age 6 and older adults age 65 or over have the highest risk of dying in home fires; and

WHEREAS, developing and rehearsing

home escape plans is a proven life-saving measure that we all can take; and

WHEREAS, every household should have such a home fire escape plan that includes having working smoke detectors and two ways out of each room; and

WHEREAS, fire safety behaviors such as "crawl low under smoke" and "stop, drop and role" save lives; and

WHEREAS, planning and rehearsing home fire escape plans does not cost us anything, but we may have to pay dearly in life loss, injuries and property damage for not having one; and

WHEREAS, the Bureau of Fire of the Department of Public Safety, City of Pittsburgh, is dedicated to the safety of life and property of its citizens from the devastating effects of fire and recognize the value of proper planning and preparedness before fire strikes; and

WHEREAS, those members of the fire service are joined by other concerned citizens at the national, state and local levels in their fire prevention efforts; and

WHEREAS, it is especially appropriate this week to recognize the value and accomplishments of Pittsburgh's Firefighters, especially in their efforts in public fire education and basic prevention inspection programs.

NOW, THEREFORE, BE IT RESOLVED, that the Members of Pittsburgh City Council do hereby declare the week of October 6-12, 1991 as "Fire Prevention Week" in the City of Pittsburgh and encourage the citizens of this City to observe this week by rendering particular attention to the 1991 theme "Fire Won't Wait...Plan Your Escape".

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

We can never be too careful with fires, especially for elderly people and young people. So, I would like those watching on television to take heed and have an escape plan. If you need any help, please call City Council or please call our Fire Department who do a tremendous job. Thank you very much.

The Chair:

Thank you, Councilman Regan, for a very important resolution.

Mr. Darkins presented

No. 3201 Resolution providing for a Contract or Contracts, or the use of existing Contracts for Street Lighting Transfers at various locations throughout the City of Pittsburgh at a cost not to exceed \$34,664.69, chargeable to and payable from Code Account PW 88-07, Street Lights Transfer.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 3202 Resolution providing for the issuance of a warrant in favor of Michael Romanello, 200 South Millvale Avenue, Pittsburgh, PA 15224, in the amount of \$800.00 in payment for professional consulting services rendered to Councilman Dan Cohen and Councilman Jim Ferlo, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, City Council, Council District #7 and Council District #8.

---(SPONSORED BY MR. FERLO & MR. COHEN)

Which was read and referred to the Committee on Finance.

Also,

No. 3203 Resolution providing Contracts for Disposition of Land by and between the URA of Pgh. and various Redevelopers for the sale of properties for \$1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE).

Also,

No. 3204 Resolution authorizing the URA of Pgh. to acquire all the City's right, title and interest, if any, in and to the publicly-owned property in the 8th Ward of the City of Pgh., designated in the Deed Registry Office of Allegheny County as Block 26H Part of Lot 160, for the sum of \$1.00, under the Industrial Land Reserve Fund.

Also,

No. 3205 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Robert T. &

Gloria J. LeDonne for the sale of Block 26H Part of Lot 160 for \$300.00, 8th Ward of the City of Pittsburgh (PARKING).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 3206 Resolution of the City Council of the City of Pittsburgh (the "City") determining to incur lease rental debt in a maximum aggregate principal amount not to exceed \$5,900,000) by entering into a Supporting Agreement (the "Supporting Agreement") with the Public Auditorium Authority of Pittsburgh and Allegheny County (the "Authority") and the County of Allegheny; determining that such lease rental debt shall be evidenced by the Supporting Agreement by which the City agrees to pay one-half of the debt service on the Public Auditorium Authority of Pittsburgh and Allegheny County, Auditorium Bonds, to be issued by the Authority in a maximum principal amount not to exceed \$6,000,000 of 1991 Series A (Taxable) Bonds and in a maximum principal amount not to exceed \$5,800,000 of 1991 Series B (Tax-Exempt) Bonds: Authorizing and directing the proper officers of the City (A) to prepare, to certify and to file the debt statement required by Section 410 of the Pa. Local Government Unit Debt Act; and (B) to execute, to attest and to deliver, as appropriate, the Supporting Agreement between the City and said Authority; approving the form of said Supporting Agreement; specifying the maximum amounts of the supporting obligation of the City pursuant to said Supporting Agreement and the sources of payment of such supporting obligation and pledging the full faith, credit and taxing power of the City in support thereof; providing for property officers of the City to take all other required, necessary or desirable related action in providing for the effectiveness of this resolution;

and providing for repeal of all inconsistent resolutions or parts of resolutions.

Also,

No. 3207 Resolution providing for the issuance of a warrant in favor of Arthur I. Young, 3134 Terrace Street, Pgh., PA 15213, in the amount of \$2,000.00 in payment for professional consulting services rendered to Councilman Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District #6, City Council.

---(SPONSORED BY MR. MILLIONES)

Which were read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 3208 Resolution providing for the issuance of a \$762.00 warrant in favor of George W. and Arlene Lapp, Jr. in settlement of claim for sidewalk damage at 1115 Fredonia Street, payable from Code Account No. 46, Judgments.

Also,

No. 3209 Resolution amending Resolution No. 830, Item I, eff. August 22, 1991 which authorized the sale of property in the 32nd Ward, being two small vacant lots, located at 1728-1730 Parkfield Street, designated as Block 60N, Lots 139 & 140, to Charles A. Clark and

Mary C. Clark, for the sum of \$500.00. The reason for the amendment is to reduce the selling price to \$350.00. Council District #4.

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 3210 Resolution providing for an Agreement or Agreements or the use of existing Agreement or Agreements with a Consultant or Consultants to purchase software, and to modify, install, and train on existing systems for Emergency Medical Services Billing, at a cost not to exceed \$13,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Which was read and referred to the Committee on Public Safety.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 3211 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Emergency Medical Services Reimbursed Events Trust Fund (EMSRETF), for the deposit of monies from reimbursed special events, and authorizing the use of monies deposited therein by the Department of Public Safety, Bureau of Emergency Medical Services, to cover premium pay for Emergency Medical Services Personnel only.

Also,

No. 3212 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the confiscated Non-Narcotic Proceeds Trust Fund, (CNNPTF), for the deposit of cash and proceeds derived from the confiscation of non-narcotic related items, and authorizing the use of the funds deposited therein by the Bureau of Police, Dept. of Public Safety for any and all expenses associated with investigations of non-narcotic violations, including but not limited to, salaries, supplies, materials and other miscellaneous expenses, and may be drawn by departmental invoice, signed by the Director of the Department of Public Safety.

Which were read and referred to the Committee on Public Safety.

The Chair presented

No. 3213 Communication from Sophie Masloff, Mayor, City of Pittsburgh, informing Council of the appointment of Senator Leonard Bodack, 4211 Butler Street, Pittsburgh, PA 15201, to the Board of Public Parking Authority of Pittsburgh, for a term to expire May 1993.

Also,

No. 3214 Communication from Sophie Masloff, Mayor, City of Pittsburgh, returning with her Veto Bill No. 2908, entitled, "A Resolution providing for the designation as Historic Structures under Section 513 of Chapter 1007 of the Code of Ordinances those certain structures located at 901-911 Bingham Street in Block and Lot Number 3-G-246 in the 17th Ward, City of Pittsburgh.

Which were read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 2908 Communication from Sophie Masloff, Mayor, returning with her veto Council Bill 2908 entitled, "A Resolution providing for the designation as Historic Structures under Section 513 of Chapter 1007 of the Code of Ordinances those certain structures located at 901-911 Bingham Street in Block and Lot No. 3-G-246 in the 17th Ward."

Which was read.

Mr. Ferlo moved to override the Mayor's veto.

Mr. Ricciardi seconded the motion.

(MAYOR'S VETO LETTER)

October 4, 1991

Honorable President and Members
City of Pittsburgh
City Council
510 City-County Building
Pittsburgh, PA 15219

RE: Council Bill No. 2908

Dear Mr. President and Members:

I have reviewed the above Bill and, after consideration of all relevant circumstances, have determined that I must veto the Bill. In reaching my conclusion, I have been informed that the following is the relevant background.

The property was subject to an agreement of sale pursuant to which the current owner was obligated to sell to a buyer who proposed a certain development on the site. On February 11, 1991, an application for zoning approval was

granted and on the same day an approved subdivision plan was recorded. Thereafter, on March 7, 1991, the property was nominated for historic designation by the South Side Planning Forum. Prior to your vote on September 24, 1991, on the question of whether the property should be designated as an historic site, both the property owner and buyer advised that they were not in favor of historic designation urging a negative vote on the question.

As you know, the Solicitor has referred to your attention the case of United Artists Theatre Circuit, Inc. v. City of Philadelphia, Philadelphia Historical Commission, a recent Supreme Court of Pennsylvania decision interpreting the Historic Buildings, Structures, Sites, Objects and Districts provisions of the Philadelphia Code. The Court there concluded that designation of a private property as historic without consent of the owner is unfair, unjust and amounts to an unconstitutional taking without just compensation in violation of Article I, Section 10 of the Pennsylvania Constitution. In this respect the Solicitor recommended to you that because of the significant risk and potential liability to the City you do not designate unless you also conclude that the City should expend monies to pay for a taking. You have not followed that advice and chosen instead to gamble that the state of the law will be changed. I understand your hope in that respect but believe that ignoring the present ruling of the Pennsylvania Supreme Court is irresponsible. It is the law currently and is our best guidance as to the risks to the City.

The financial liability to the City resulting from this designation could be significant. The City has been advised by counsel for the buyer that as a result of nomination of the property for historic designation, the buyer lost the financing for the transaction, and accordingly has been unable to consummate the sale. In addition, the buyer has expended approximately \$400,000 in architectural and other fees and has stated that the

value of the project is \$7,000,000. Both the owner and buyer may have lost the benefits of the transaction. At this time, however, we do not know the exact amount of monetary losses which may have resulted and the extent, if any, to which the City may be liable therefor, but clearly the risks are substantial.

I believe that your action was not responsible and have a deep concern for the financial consequences. Additional budgetary cuts may be made necessary by your action.

For the above reasons, I hereby veto Bill No. 2908.

Sincerely yours,

Sophie Masloff
Mayor

(END OF LETTER)

The Chair:

Prior to any discussion the issue, we have received a request by a Leslie Gray, a hand-delivered letter. I believe all Councilmembers have received a copy of it. Leslie Gray would like to testify in front of Council and speak in regard to this issue.

Michelle Madoff:

Opposed.

Mr. Regan:

So moved.

The Chair:

As long as there's one Member of Council opposed, that cannot happen at this meeting, the primary reason being, if Leslie Gray

is here or listening, is that there has been a public hearing on this issue. In that public hearing, any member of the public was permitted to testify on this issue. In addition to that, the issue was in front of the Planning Commission for public testimony and also the Historic Review Commission. As a matter of fact, it was in front of the Historic Review Commission twice for any public testimony. Therefore, there has been a total of four times in which the public could have testified on this issue in the past and if any one Councilmember objects to it, as long as we have had our public hearing, that is sufficient to deny public testimony during the final vote on a piece of legislation.

We now move to discussion on the issue.
Is there any discussion?

Mr. Ricciardi:

Discussion. By the way, I agree with the ruling from the Chair. There were four public hearings. As a matter of fact, the owner of the property, Mr. Brandt, did testify at one of the public hearings at the Planning Commission stating that he did not oppose the Historic Designation.

Mr. Chairman, I promise to be very brief. I would like to just say that after reviewing the transcripts, I believe we have exhausted all the discussion on the historic merits of the MacIntosh Buildings. I think we agree historically and architecturally that they do merit Historic Designation. We have discussed the planning components of the buildings being on five percent of the property. We have also discussed the court case in Philadelphia and how that differed from the City of Pittsburgh ordinance where we have due process. We have also discussed that it was never historic preservation versus development, but it was historic preservation versus 30 parking spots.

I think it comes down to neighborhood protection. Is this City Council willing to stand up next to our Pittsburgh Code and protect our neighborhoods, our community and our residents, our taxpayers, from undue development or from something that, as a matter of fact, is not particularly good for the neighborhood.

There was an article, I believe, several days ago, maybe last week, in one of the local papers where many community leaders stood up and said they were not pleased or they were unhappy with City government and on the response that they were receiving from the Administration.

The bottom line is neighborhood protection and I am respectfully asking my colleagues to vote to override the Mayor's veto. Thank you.

Michelle Madoff:

In line with what Mr. Ricciardi has just said, you know, community groups are often branded as rabble-rousers and that they want something just for the sake of wanting it and that they're a small minority and that they're not responsible.

At my request, the South Side Local Development Company has put in writing a rather detailed letter of how responsible they plan to be and why they want to have the buildings preserved. I don't want to go over that but I'd like to read for the Record just a couple of lines which says:

"That the SSLDC, which is the South Side Local Development Company, would, after one year, support such a request. It is not the intent of the SSLDC to foolishly support preservation which cannot be economically supported."

What they're saying is, if it can't work, we're reasonable people. But if it can be saved, they go on to say, by the same token, I would hope that it's not the intent of the City to support the demolition of our historic buildings and communities if it, too, cannot be economically justified.

I think this is a responsible action by the group and I think, based on that, we have no choice but to support it.

Mr. Regan:

Mr. President, we were elected by the people of the City of Pittsburgh and not outside developers. We have a letter here addressed to you that would scare most people. But we're not here to be afraid of anything or anybody. We're here to do a job for the people that we represent, and in this case, I am honored to be side by side with the famous Councilman from the South Side.

On this particular occasion we, as elected officials, no matter what part of the City we're from, are representing the people of the South Side in our feelings here. And I feel that the people of the South Side know what's best for the people of the South Side. And I think that their leader, Councilman Ricciardi, has done a tremendous job.

I cast my vote today for the people of the South Side and for my pal, Councilman Ricciardi, and I vote to override the Mayor's veto. Thank you.

Mr. Ferlo:

I would hope that we would vote to override the Mayor's veto. First of all, I don't see this as a parochial issue although, obviously, since the property in question is in the South Side

and we have the leadership of some very viable development groups in the South Side, it has taken on a neighborhood, and rightfully so. But this is very much a City-wide issue and it has City-wide impact and I think we need to look at it in that respect.

First of all, I voted initially to support Historic Designation because purely within the parameters of the ordinance itself, I concurred with the Commission which did a thorough review and public hearing process, an analysis, and did agree that the site in question at least met two of the established criteria under the ordinance. So, purely on the issue of whether or not it met the means test, I did agree with the Commission that this property in question did meet the means test.

There are other issues that came up throughout the whole process, though, that I think are equally important and also supported or cemented my vote there and also my vote today in overriding, and that is generally the issue of development and what's best for our City. In this situation we can have our cake and eat it too. In this situation we have the potential for development on the site that's now demolished and vacant, and we also have what has been delineated to us by a development corporation in the South Side that has a track record saying to us that they would like an opportunity to develop the two properties in question.

I look at it from the point of view of long-range, what's best for the City, what's the best option to bring more revenues and taxes, providing jobs and development. From that point of view, I think we can have our cake and eat it too. We can develop the site that's demolished; we can also potentially have development in the vacant historical structures.

More importantly, this is an issue that Mr. Wagner raised, Mr. President, you have raised

this, and that is the development that is proposed or had been proposed on the site itself may indeed not be the best development for that site. You had raised the concern, which I agreed with, that the riverfront parcel of that development site was severed off and that maybe if it were put back together, there could be a higher and better use of that property than what amounts to a suburban shopping mall-looking office complex. I think we need to be cautious and we need to have development and we need to be involved in that process.

What I see happening today is a failure of leadership by the Mayor and her Administration. It's nice for 11th hour lobbying and threats of lawsuits against our personal income and things of this sort, but I think there's a failure by this Administration right from the beginning. I think this Administration failed when they failed to inform the developer that if they intended to develop the site, they had a responsibility to meet with Council, to meet with the community, regarding what their intentions were. That didn't happen, for whatever reason; I think it was ignorance or lack of leadership on the part of the Administration, or lack of caring, that they basically did not care that others who had a vested interest surrounding that site should have been involved and notified of what the intentions of the developer were going to be. Had that occurred, we may not be, indeed, in this situation today. But I think it's important that we override the Mayor's veto.

The Chair:

I'd like to make a comment prior to voting. I was not here for the vote in Committee due to myself testifying at the Urban Mass Transit being in Pittsburgh for the Busway. I had to leave the meeting which was a couple weeks ago. I was not here for the final vote also, due to being in New York with the Mayor and her staff with the bond rating agencies. So, I guess it's a little bit of

a mystery how I'm going to vote on the issue.

With that, I want to say that the harsh statement in the veto I truly don't think was necessary to this Council. This Council is continuing trying to strive for better communication with the Mayor. At least I am and I know the majority of this body is. And the harsh statement made in the veto about the irresponsibility of this Council was not warranted.

There is also some information in the veto that is not factual. The statement that Council could be held liable for a \$7 million project is totally inaccurate. To create a comparison to this project, that would mean that Council would be held liable for the total value of the building that the University of Pittsburgh and the Medical Center wants to build on the Syria Mosque property if we would have designated that as being historical.

Rather than the cost of the property or the cost of the building, the Mayor's Office is saying that we would be held liable for the proposed building, not the cost of the property as it sits, which is approximately \$875,000. So, that's extremely inaccurate in her veto statement.

In addition to that, I want to say that there has been an excellent opportunity all along here for the Mayor's Office to be a negotiator and a facilitator in this entire process. Certainly the South Side groups are extremely active and involved in this community, of which there are, I believe, six groups involved; correct, Mr. Ricciardi?

Mr. Ricciardi:

That's correct.

The Chair:

Six South Side groups. They care a whole lot about their neighborhood and all they're really looking for is communication, communication with City government, with the Mayor's Office, with Planning and with Council.

This issue did not have good communication and the reason why it has not had good communication is that these two buildings only represent five percent of the entire parcel. And the development that everyone has been talking about could have occurred with these two buildings on the parcel. An excellent opportunity, I believe, for negotiation with the Mayor's Office and with this developer and with the property owner.

This Council tried to do that and we were not successful, several times. I tried early on in the process. I know Mr. Ricciardi tried early on in the process. I really think that the Mayor's Office could have been successful and we would not be at this state today. We are here today at this state and we are being told legally that we're being held accountable financially if these buildings are designated as being historical, for \$7 million. I don't believe that's accurate. It's only 1/20th of the parcel.

Still, this project could move forward with historical designation of these two buildings. And if there's a willingness of the developer, if there's a willingness of the property owner, that can happen. Will it happen? I think that remains to be seen.

The issue in front of Council simply and purely is, do these buildings warrant historical designation, and the facts are that they do warrant it. If there's going to be a legal test, so be it. Maybe this is an ideal situation, as several Councilmembers have indicated, for a legal test because it represents such a minute portion of the

total parcel.

With that, obviously, I'm voting to override the veto and I think it's the right thing to do.

Mr. Regan:

I just wanted to make sure. Is it a yes vote to override?

The Chair:

Yes, and six votes are necessary.

Mr. Regan:

You know, we have a Legal Department down there of 20 or 22 lawyers that represent the City of Pittsburgh. It's their job to defend the City of Pittsburgh and it's their job to defend what we think is right for the people of this great City. So, I warrant any challenge. I don't have a lot of money like Michelle Madoff but if they want to sue, let them go ahead.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES 2

(MR. COYNE AND MR. MILLIONES VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the veto was overridden.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3215

Report of the Committee on Finance for October 2, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3150

A Resolution entitled, "Resolution providing for the issuance of a \$1,103.00 warrant in favor of Percy Castaphney for vehicle damage."

Which was read.

Also,

Bill No. 3151

A Resolution entitled, "Resolution providing for the issuance of a \$787.00 warrant in favor of Edward H. and Zola E. Kern in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3152

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a qualified third party administrator for the administration of the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law for a period of three years and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3153

A Resolution entitled, "Resolution repealing resolutions approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 3154

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 3155

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3157

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Commonwealth of Pennsylvania-Pennsylvania State Police, Information Systems Division, 1800 Elmerton Avenue, Harrisburg, PA 17110, in the amount of \$3,737.40 in payment for the leasing of the terminal located at the Emergency Operations Center, Communications Section furnished for the benefit of the City, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3158

A Resolution entitled, "Resolution authorizing the transfer of two thousand and five hundred dollars (\$2,500) from Code Account 1475-1, Index Code 1475-11 Premium Pay, Department of Public Safety, Bureau of Building Inspection to Code Account 1479, Index Code 147900, Refund of Permits, Department of Public Safety, Bureau of Building Inspection.

Which was read.

Also,

Bill No. 3160

A Resolution entitled, "Resolution authorizing the transfer of funds in the amount of \$3,500.00 from Code Account 1829, Index Code 182907, Miscellaneous Services to Code Account 1828-1, Index Code 182816, Premium Pay, all in the Department of Parks and Recreation, Point State Park Division."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 3161

A Resolution entitled, "Resolution transferring the aggregate amount of \$125,000.00 from various code accounts to Code Account 1825 (182501), Swimming Pools, Wages, Regular & Temporary Employees in the Department of Parks and Recreation." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ricciardi:

Mr. President, I'd like to make a motion to amend Bill No. 3161 which will show Pittsburgh City Council's support for the North Side Aviary by deleting Code Account 1043, Miscellaneous Services, Information Systems Office, \$15,000 and by increasing Code Account 1828, Maintenance Salaries, Regular Employees, by \$15,000, from \$10,000 to \$25,000. This would be housekeeping that will show our support for the North Side Aviary.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo:

The bill had a negative recommendation. I believe we were owed some information from the Administration which we had requested. I don't believe we received it.

Mr. Milliones:

There was a communication that they were gathering material and it is not ready as yet. This morning.

Mr. Ferlo:

Accordingly, Mr. Chairman, I'd like to make a motion to recommit the bill.

Mr. Coyne seconded the motion.

Michelle Madoff:

I don't think its appropriate to hold the bill. I think the information that you need and Council would like to have is general information that we should be getting. If its on the way, I don't think we should take an adversarial role.

Mr. Ferlo:

The bill has a negative recommendation.

Michelle Madoff:

Yes, but the reason it had a negative recommendation is that most of us felt that the Aviary should not be suddenly cut off. It should be done in an orderly fashion and become a self-sustaining entity in the private sector. That's why the change was made and the vote was changed. I don't think we voted negatively because of the other factors involved and I would suggest that we vote on it because we're going to come off as being just very -- no for the sake of no. And I don't think that's the issue here. But that doesn't mean that we shouldn't get information that we're entitled to. Lord, I've known for 13 years that if you ask for stuff you don't get it.

Mr. Ricciardi:

Mr. President, hopefully we won't make this bill more complicated than it really is. If we recall from the past, the reason we needed the additional \$125,000 because Mr. Young stated that the lifeguards received more time at the swimming pools because of the additional crowds.

What's going to happen is, if we don't pass this bill, our regular City employees will be unable to get paid.

What I am respectfully asking is for us to pass this bill. The information that we requested, especially from Personnel and Civil Service, as Mr. Ferlo has alluded to, is very pertinent and important information, but it's information that we can use during budget time also.

So, I believe we should really pass this bill and we could deal with that information during the budgetary process.

Mr. Ferlo:

Mr. Chairman, I'll withdraw my motion to recommit. I'm still voting no on the bill because, in respect not only to the Aviary but the other code accounts, this bill raises money by taking salary money out of not only the Aviary but the Conservatory and the other institutions and I believe the money should come from non-salaried code accounts. Accordingly, I'll withdraw my motion.

The Chair:

Roll call vote. A vote of aye is a vote in the affirmative, even though it's a negative recommendation.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Michelle Madoff	Mr. Ricciardi
Mr. Millions	Mr. Wagner
	(Pres't)

AYES 6

NOES 2

(MR. COYNE AND MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 3162

A Resolution entitled, "Resolution transferring the aggregate amount of \$260,000.00 from various code accounts to Code Account 1808-9 (180893), Workers Compensation in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3177

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carl Marshalwitz, 725 N. Beatty Street, Pittsburgh, PA 15206, in the amount of \$300.00 in payment for professional consulting services rendered to Jim Ferlo for the month of September 1991."
---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo:

Mr. President, I move that Bill No. 3177 become law upon the signature of the Mayor.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

Bill No. 3182

A Resolution entitled, "Resolution transferring the sum of \$15,000.00 (Fifteen Thousand Dollars), from Code Account 1051, Index Code 105106, Equipment, Office of the City Controller, to Code Account 1502-9, Index 105296, Worker's Compensation, Office of the City Controller."

Which was read.

Mr. Milliones:

I move that Bill No. 3182 become law upon the signature of the Mayor.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 3184

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh to enter into an

agreement or agreements with St. Margaret Memorial Hospital (the "Hospital") and Delafield Associates, a Pennsylvania limited partnership (the "Partnership"), approving the sublease of certain property in the 12th Ward from the Hospital to the Partnership, and acknowledging and supplementing the rights and obligations of the parties and their successors and assigns with respect to the property and the building to be constructed thereon, and also authorizing the Mayor to execute, on behalf of the City, any additional documents which may be required to facilitate the development and financing of the building.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 3216

Report of the Committee on Planning, Housing and Development for October 2, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3142

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh owned by John T. Joyce and Bernadette Joyce, and designated as Block and Lot 49-C-135A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 3143

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John Caiaccia for the sale of Block 49-C Lot 135A in the 9th Ward of the City of Pittsburgh (REHAB)."

Which was read.

Also,

Bill No. 3144

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 1st Ward of the City of Pittsburgh owned by Ruth M.

Shapiro, and designated as Block and Lot 2-M-211-C in the Deed Registry Office of Allegheny County, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 3145

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire properties, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3146

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS/REAR YARDS)."

Which was read.

Also,

Bill No. 3147

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for a grant of Strategy 21 funds in an amount not to exceed \$17,002,195.00 to the Pennsylvania Department of Community Affairs for the design and development of the Carnegie-Mellon University

Research Facility at the Pittsburgh Technology Center."

Which was read.

Also,

Bill No. 3148

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$17,002,195.00 in private funds to be invested in the Pittsburgh Technology Center as the local matching share for a grant applied for in an application for Strategy 21 funds filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 3149

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Lawrenceville Development Corporation for an amount not to exceed \$70,000 under the Neighborhood Housing Fund."

Which was read.

Also,

Bill No. 3156

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file a declaration of taking on behalf of the City of Pittsburgh to acquire reversionary interests owned by the heirs and successors in title of the Lloyd Estate in the 1st Ward of the City of Pittsburgh for the construction of a building to

house courts and other municipal offices and for utility and vehicular access thereto and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

Also,

Bill No. 3185

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file a declaration of taking on behalf of the City of Pittsburgh to acquire reversionary interests owned by the heirs and successors in title of the Schenley Estate in the 1st Ward of the City of Pittsburgh for the construction of a building to house courts and other municipal offices and for utility and vehicular access thereto and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 3217

Report of the Committee on Parks and Recreation for October 2, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3159

A Resolution entitled, "Resolution changing the name of 'Field 6' in Brighton Heights Park to 'Cameleus F. Sanguigni Field.'"
---(SPONSORED BY MR. REGAN)

Which was read.

Also,

Bill No. 3163

A Resolution entitled, "Resolution amending Resolution No. 584 of 1991 entitled 'Providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed \$600,000.00, and shall be chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program in the Department of Parks and Recreation' to increase the not to exceed amount to \$603,500.00."

Which was read.

Also,

Bill No. 3192

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Pittsburgh Aviary, effective November 1, 1991." --(SPONSORED BY MR. WAGNER)

Which was read.

Michelle Madoff:

On Bill No. 3192, on increasing the fees, I would like to point out that the stats I gave you last time I was here, I think it's \$26 million, that the City of Pittsburgh pays in a deficit on the debt service and other operating expenses for the Zoo, the Aviary and the Conservatory, can no longer be borne by the City of Pittsburgh residents. The facility, the Zoo in particular, is used by something like 20-25 percent of the City residents max. And the suburbanites, three-quarters of the people using it are non-City residents; they're coming from the 5 county region area.

Raising the Zoo fees, or the Aviary or the Conservatory, is not going to make up the deficit. It's not going to be even in the ballpark. It won't even be five percent. It's just a good move in the right direction. Mike, how long have I been fighting for that? It took years to convince the previous Council and finally Parks and Recreation moved to do a little token increase of the fees because I was just so persistent. And now it's an idea that it's time has come and the Administration is moving with the support of this Council.

But I want to caution everybody. That isn't going to be the answer. It is not going to do the job. And while I don't want to cut off either

the Conservatory, Phipps, the Aviary or the Zoo suddenly, because I don't think that's the right way to go, I think we have to put them all on notice, right now, that they better become independent operations run the same way the Zoo used to be run and the trust funds that are created by the independent people who operate these facilities.

I would suggest that we think in terms of putting the County Commissioners on notice that one year from now we will give one-third, we only use 20-25 percent, but we'll give one-third of the necessary dollars to operate the Zoo and failing, they're giving the other two-thirds, we would start to phase out that Zoo, not because we want to and we're not going to do it overnight. I love the Zoo, my daughter loved it; I like to go there but it's a luxury we cannot afford on the backs of people losing jobs.

It just seems to me that that's something we ought to look at very seriously and I'm going to introduce some kind of legislation to say just that.

Mr. Regan:

I just want to comment on the fee increase that the distinguished Councilwoman said that that's not enough to save the Aviary. I want to remind her of the story of the little boy in Holland that put his finger in that dike and saved the whole town. It's what you have to do to start with.

We're going to save that Aviary but that's just a start and I commend my colleague, Mr. President Wagner, for recommending those fee increases and I think that it's really a step in the right direction. I commend you, Mr. President.

And, Councilwoman, I want to remind you of the little boy with the hole in the dike, and he was from the suburbs, I understand.

The Chair:

I'd like my comments brought foward on
Bill No. 3192.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 3192 - Wednesday, 10/2/91)

Mr. Wagner:

Thank you, Mr. Chairman. Just for the sake of the public, I would like to briefly go over the increase in the fees proposed here, and they are as follows: An adult non-resident that attends the Aviary presently pays \$2.50, that would be increased to \$4.00; an adult resident with proof of residency presently pays \$1.50, that would be increased to \$3.00; a child up to the age of 12 years presently pays 50 cents, whether that is a resident or non-resident, that would be increased to \$1.50; and a senior citizen presently pays 50 cents, that would be increased to \$1.50. That is the existing fee structure.

In addition to that, what is added to this ordinance are three additional items: A family membership for the Aviary of \$25.00 where if you pay that amount, a family could attend as many times as they want during a calendar year. The same with an individual membership, which would be \$20.00 and a senior citizen membership which is \$10.00.

They are the various fee changes and enhancements as proposed in the ordinance.

I passed out to all of you a listing of the revenues generated by fees that was put together by our budget staff. As you can see, in 1990 fees only generated \$101,822.00 at the Pittsburgh Aviary. With these proposed fee enhancements, the fees would be increased at a minimum to \$206,000.00 with the same attendance rate at the Aviary. Now, based on some of the data that Councilman Regan provided just yesterday at the Council session where attendance at the Aviary has increased dramatically almost 100 percent, if that were to continue throughout an entire year with a good marketing program as has been suggested, and better advertising of the Aviary, better signage leading to it, a multitude of things that are proposed to happen by the leadership of Councilman Regan and the various North Side groups and their initiative, it is I think realistic to assume that this dollar figure with the fee increase could go from \$100,000.00 a year to \$300,000.00 or \$400,000.00, when you add into it, and it is not as part of this formula, the membership fees which presently do not exist.

Consequently, what this bill is suggesting is that we as a legislative body can be of significant help in terms of saving the Aviary simply by increasing the fee structure and generating the kinds of fees that the Aviary should be generating.

When you really look at the existing fee structure and when I looked at it, I have to say I was embarrassed that I didn't propose this earlier. I think all of us simply assume that the

Administration had looked at those fees in the past and had made appropriate recommendations to Council. I think all of us really were not attentive here. If we would have been, I think we could have been raising more fees and the Aviary wouldn't be in the financial position it is in now.

So what I am simply suggesting is a fee increase that would be effective November 1st of this year which would give some immediate help in terms of us keeping the Aviary through a public/private partnership.

With all that, I want to compliment my colleague Councilman Regan, because certainly he has brought a whole lot of public attention to the Aviary, even on CNN nationally.

(Deleted text.)

Mr. Wagner:

Truly, I think we can have a very positive impact through a number of ways, obviously, with Councilman Regan's leadership on the issue and us addressing fee structure and even some other things that have happened within the last few days. Certainly, the initiative by North Side groups and the public in general, not only in the City of Pittsburgh, but throughout the region.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. President and Members of Council, I'd like to raise a procedural issue regarding the veto vote that we had to take earlier. And formally, Mr. President, I'm communicating to you and to other Councilmembers regarding the earlier veto on the bill, 2908. I question the propriety of the veto and its effect in the designation.

If you remember, in July the City Solicitor advised the Mayor that a conditional use application is an administrative action of Council and not subject to Mayoral veto. The Solicitor ruled, this is in relation to the Shadyside Heliport debate, the Solicitor relied on the Whale's Tale, this is a law suit incorporated versus the City of Pittsburgh and in that case it held that the Mayor's

veto power extends over actions of Council which are legislative in purpose and does not extend over actions which are executive or ministerial in nature.

The Historic Preservation Ordinance is very similar to the zoning ordinance analyzed in the Whale's Tale case in that the power to designate is vested in Council alone. Council's approval of the designation of the South Side buildings as historic structure may be final and not subject to the Mayor's veto of October 4, 1991.

I believe we need a legal opinion on the issue of whether a Council action to designate historic structure sites and/or districts is subject to Mayoral veto. In that the Administration apparently believes the Mayor has the power to veto a historic designation, I request that Council seek outside legal counsel to consider this question.

If you remember the Mayor's letter back during the helipad-heliport dispute, she makes reference in her letter — Let me just quote very briefly the paragraph when she refused to veto or take any action. She sent us back the bill. She said, "I am returning to you without signature Bill No. 2546." That's the conditional use application of Shadyside Hospital. "I have been advised by the City Solicitor that the courts have concluded that the granting of a conditional use is an administrative action of Council and that the Mayor's approval or disapproval is an ministerial action which in no way affects the validity of the resolution or changes that body's decision."

In other words, Commonwealth Court ruled that the Mayor has no say in the matter.

I would contend, Mr. Chairman, if I understand the City's process which I think I do in terms of how we go about passing legislation and

entering into the Record, into the City Code, that our action regarding designation of historical structures and sites and districts is the same kind of conditional use process that the Mayor says that she has no business in deciding whether or not to veto or not to veto. It's the same type of process. In fact, if you look at the ordinance itself, it very clearly states that the Council of the City of Pittsburgh may designate historic structures, historic districts, historic sites and historic objects upon request or upon its own initiative. And, as you know, it sets up the process of the public hearing, the review, the staff report, the public hearing at Council and, ultimately, an action by Council. Nowhere in the ordinance does it designate or stipulate any power or action that the Mayor has to take.

So, what I'm saying is, I think we're in a little bit of a quandry here and I think this issue has raised a more important issue, and that is the very process by which we designate historic structures because this issue may come up in the future and I think we need to have a clear understanding. What's good for the goose is good for the gander. The Mayor can't on one hand say in the Shadyside Helicopter situation, for whatever reasons including politics, I don't want to be involved and then I have no say so in the matter. Now all of a sudden, out of the blue, in the same situation she feels opinionated on the historic designation issue. There's clearly a contradiction here.

My motion is that we ask both for a legal opinion from the Solicitor and that we seek outside legal opinion. If that involves a cost, Mr. President, my motion is that you would come back to Chambers with any resolution regarding expenditures.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

I have three little quick items that I think should be brought to Council's attention.

As we came to Council this morning, we received letters from Mr. Hayllar informing us that they'd like to delay further, at least one week, a bond issue. The bond issue is for the Auditorium Authority Civic Arena bond issue.

I don't have a problem with delaying it, but I have a problem with the fact that I was never told that this bond was a taxable bond. We may have had to go out on it anyway to save the team and keep the auditorium, the Civic Arena, operating but, as an elected official, I want to know when something is a taxable bond and a non-taxable bond. And I want to say publicly that Mr. Hayllar was remiss. I spoke to the Administration and they concur with me.

The Chair:

In regard to that, if I may add a comment. In addition to seeking information as you are, I would like to know where and what the status is on the other auditorium bond issue. That came in front of Council a couple months ago and there was a disagreement with the County Controller which is an auditorium bond issue for other purposes --

Michelle Madoff:

This is it. This is the same bond.

The Chair:

No, that's a different bond issue. I would like to know the status of that bond issue and a letter written to the Mayor's Office and whether or not these two issues could be combined.

Michelle Madoff:

I believe, if you read the letter that just came in, that they're talking about doing just that.

But the issue is, I don't want to vote in a vacuum and I don't want to vote uninformed. In these times to go out on a taxable basis, meaning that the people who buy the bond would have to pay taxes on it, is going to be a hard sell and we're entitled to that kind of information.

I have no problem with delaying the bond because I think it's now going to be not taxable, but if that was the case, we should be notified and we should learn and understand and I very strongly suggest that we get ourselves a consultant on bond issues because here's another example of something sort of being pushed through us that we don't know.

The Chair:

If I may clarify, they are two separate bond issues. The one tomorrow, as I understand, relates to the improvements of the Civic Arena and an arrangement with the Pittsburgh Penguins.

Michelle Madoff:

This one is the Auditorium Authority Civic Arena bond issue.

The Chair:

Yes. And obviously there's even a whole sale of the Penguins involved here.

Michelle Madoff:

You don't think we need a consultant?

The Chair:

No, I don't think we need a consultant. I just think we need the Administration to communicate with us clearly about all these issues tomorrow prior to voting.

Michelle Madoff:

I would strongly suggest that in the near future this Council get ourselves a consultant to advise us before we vote on bonds. The largest dollars, the capital improvements, that are made in this City, the multi-millions of dollars are in the bond issue area. And it is very difficult for somebody like myself with the knowledge I have from reading and investing to take on somebody like Ben Hayllar when he says in his McCarthy style, "It is this way, I'm sure, and you're wrong. The interest rate is going to be so and so." I cannot refute him. We need somebody with the same kind of stature, and perhaps a lot better, who can say, "Mr. Hayllar, I think you're wrong, and here is why."

I urge my colleagues to think about that very, very seriously and I'm going to introduce legislation that indeed we hire somebody. It will be the best bargain this City ever had.

Mr. Ferlo:

On the bond issue, Mr. President. I was out of town Friday and throughout the weekend. I was not aware that something was coming up tomorrow in regards to either refinancing the debt and/or some new arrangement, lucrative or otherwise, regarding the Civic Arena. If that is the case, I'm going to be voting no on that bond issue if there is not detailed information in writing provided to Council.

I voted last week against the bond issue basically on the issue of it not being a competitive bid. I'm certainly going to vote no tomorrow on

any lucrative arrangement that has not been explained. If we don't have anything in writing, I'm telling the Administration right now, the public and anybody else, I'm voting no. I don't know anything about this deal. It's the same old business that's going on in City Hall where Council is not informed, has not been made aware of any arrangement, and I think your earlier point is well taken.

Months ago the Administration came to us and said, "Tomorrow you have to approve this bond issue for the purchase of the property for the Convention Center, to give money to the Historical Society, to give money to the Downtown Cultural Trust to buy property to build a theater." And now, all of a sudden, it's gone by the wayside. What the heck happened to that?

So, I'm concurring with your request for that information.

The Chair:

Are there any other issues to be brought before Council?

Mr. Regan:

Mr. President, we always talk about sending the Allegheny County Commissioners a message. I'd like to send them a little message.

We were out there visiting the Mid-Field Terminal last week and I had an opportunity to see the future. I was fortunate enough to visit the Mid-Field Terminal Project. The site was truly absolutely magnificent from what I saw.

I applaud the County Commissioners especially Tom Foerster, and the great union leaders, especially Joe LaQuatra, for what they have done out there and their foresight.

The Mid-Field Terminal employees 15,000 people a month during its construction and will create 10,000 permanent new jobs. The project consists of two air terminals and one ground loading facility. Top of the line technology abounds with transportation equipment and designated equipment to move passengers and luggage swiftly through the parking lots to the airplanes.

There will be over 16,000 parking spaces available, accommodations for 122 airplanes. And at the peak hours, Mid-Field will facilitate 5,000 passengers.

The Mid-Field Project will stand as a beacon for growth and expansion for this region. The City of Pittsburgh is the lifeline of the region and, quite frankly, it is foolish for Pittsburgh not to be a big player in the project.

I now urge my colleagues to come with me to visit the Mid-Field Project. More importantly, after this visit, I implore Council on behalf of the residents of the City of Pittsburgh to develop a strategy that will include Pittsburgh on these jobs and to reap the benefits of Mid-Field's prestige.

At this time, Mr. President, I would like you to plan a trip, if you would, for all of Council to take a trip out there and see what I have seen and is absolutely magnificent, the project. And I congratulate the Commissioners and the suburbanites. I think we better get out and see what the suburbanites are doing. We're always after them; we better get out there and see what they're doing.

The Chair:

Good idea, Mr. Regan.

Mr. Perry, would you please set up an arrangement for a half a day with either Mr.

O'Donnell or Mr. Fred Graham, the head of construction of the new Mid-Field Terminal?

Mr. Regan:

See, you know those big shots, Mr. President. I really don't know them. I was out there with the construction guys.

The Chair:

Mr. Regan, it's an excellent idea. I know some of us have been out there individually, but I think we should do it in a more formal fashion to show the importance of that facility and how it should be tied to the City of Pittsburgh.

Mr. Regan:

Mr. President, I would like to say one more thing before I leave. You know that we're going to play the Atlanta Braves in a big game tomorrow night. I would just like to send a notice, we just sent a notice to the County Commissioners, I want to send notice to Atlanta what a fine City Pittsburgh is when they come to visit us. We're the fourth largest corporate center in the United States, eighth best U.S. housing market in the United States, safest U.S. city over one million population. I want to make sure that we get that across to them. When they come here, they're taken care of like little babies.

We're one of the top ten cities for relocation, third most livable city in the United States, eighth best city for business, sixth best city for raising children, tenth best place to live in America, third most livable city in the United States for women. As far as I'm concerned, we're the No. 1 City in America and we're going to prove it to them after we play them in this series.

I just happened to take time out to look up who their Council President is. This is no reference to you, Mr. President, because you did

a big job in that hurricane going down South and helping them clean up. Well, I'm going to have them come up North and help us clean up. Here's what I propose:

I had a big meeting with my pal, Councilman Darkins, this morning and I'm going to challenge any two Councilmen from Atlanta of a day of refuse. We'll pick up refuse in Atlanta if they win, and they have to come to Pittsburgh and pick up refuse for a day when we win. And I want "Atlanta" on the back of their coveralls when they show up here. We will meet them at the airport with a red carpet reception, and they better have coveralls in hand because we have the best Refuse Department in America and we're going to prove it when they come in and help us clean up the City.

I'd like to congratulate the Pirates and tell them that City Council of the City of Pittsburgh is behind them 100 percent and we'll prove it when we beat up the Atlanta Braves and we'll bust those tomahawks in half.

Thank you, Mr. President.

Mr. Ferlo:

We have some toxic waste dumps.

Michelle Madoff:

May I finish what I started when everybody interrupted me earlier?

I have before me a letter from the National Council of Aging and it's addressed to the President of Council. I don't know if you have seen your copy of it, Jack.

"Dear President and Members:

It has come to my attention that you are considering a Department of Aging as a level of

City government. I want to encourage your efforts in establishing this vehicle on behalf of the elders of the City of Pittsburgh.

The concept of an overall agency directing the total services provided to the aged is a key concept of the NCOA and supported for decades.

I must applaud your recommendations to the Mayor of Pittsburgh. This thinking will keep Pittsburgh on the forefront of addressing the increased numbers and needs of the elders."

I don't need to read much more of it but to say that our office was instrumental in, with President Wagner's help, raising some money so that a representative of the senior citizens could take a bus ride to Baltimore to look at what is happening there because they have an outstanding Council for the Aging.

We're now trying to find some money so that they can stay overnight at a hotel because it's a very difficult ride for a senior citizen to go down and come back the same day and we're hoping that somebody in the private sector will help us with that kind of funding. My office, Bill Urbanic, is working with one of the banks and we hope will come through with that money. But, if not, I'm hoping that Mr. Milliones or Mr. Wagner will come up with some source of funding for these people.

Mr. Regan:

Maybe we can float a bond issue.

Michelle Madoff:

If we float a bond issue, we better have a consultant.

I think that's terribly important. Remember, the senior citizens have given much

to this community. We have.

On one last item. Free housing in Parks. This has been an issue in the past and has come to my attention again that the Department of Parks and Recreation provides free housing for caretakers at ten locations at parks throughout the City. It is rumored that not only is the housing paid for, but all the costs associated with the property, utilities, improvements, landscaping, etc.

During times when the City departments are strapped for funds and Parks employees are being laid off, is it practical to pay the way for these caretakers? I don't know and I'd like to have some information on which to make some clear kind of decision.

I have asked for this information for a long time and no one has supported it and we get sort of half answers and we really are in a vacuum.

So, I would like to request from the Administration the addresses of the properties, the locations, the names of the caretakers, an itemized list of all the costs associated with these properties, and information as to what services are offered by the people that live in them and do they indeed warrant the free housing. What would that housing cost? What is the value of the housing, the dollar value including all utilities and maintenance? Do we get adequate services or is there fair exchange?

I was just talking to Mr. Ferlo as we came up, the Community Planners have already been laid off. What is more important? I think we have to set our priorities somewhere.

The Chair:

Good point and certainly we should have that information prior to the presentation of the

budget.

Michelle Madoff:

I don't know, Mr. Wagner, whether it is appropriate for me to make a motion here, there's not enough people, but I will introduce next week a resolution, a floor motion, saying that I would like support from my colleagues that we go out and hire a consultant to us, and advisor on bond issues so that we don't approve any bond and even some that we don't get to vote on, authorities that issue bonds. We want to know whether that bond was issued at the best possible rate because every time we go up a basis point, and that's not acupuncture, we are charging the ratepayers millions and millions of dollars over the term of bonds that we can ill afford. This would be the best investment we could make to protect our citizens.

The Chair:

Thank you.

Michelle Madoff moved to approve the Minutes of Tuesday, October 1, 1991.

Mr. Milliones seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse Mr. Cohen for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milliones**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, October 15, 1991

No. 40

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, October 15, 1991

PRESENT:

MR. COYNE	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. COHEN

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 3245 WHEREAS, economic recession, unemployment, low wages and other social forces continue to burden people's resources and play a role in contributing to the problem of hunger for many residents of Pittsburgh; and

WHEREAS, organizations working to reduce and eliminate hunger's causes and effects in Pittsburgh include Just Harvest Services Network, the United Nations Association of Pittsburgh and the Greater Pittsburgh Community Food Bank; and

WHEREAS, World Food Day commemorates the founding of the United Nations Food and Agriculture Organization on October 16, 1945 and is observed in more than 150 countries; and

WHEREAS, World Food Day offers the opportunity for recognition of the importance of local action and public policy in the international effort toward guaranteeing all people the ability to grow or buy the food they need to live in dignity.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the officials, staff and volunteers of the Greater Pittsburgh Community Food Bank, Just Harvest, Hunger

Services Network and the United Nations Association of Pittsburgh for their hunger-fighting efforts and humanitarian endeavors; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims October 16, 1991 as "World Food Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mr. President and my colleagues on Council, we have people from these various organizations that are here today and they are going to respond to the resolution.

We're looking forward to tomorrow from 11:00 to 2:00 there will be a rally held here and there will be a lot of entertainment. It's going to be held here at City Hall on the steps downstairs. We're expecting some bands and entertainment, people coming in. And I would encourage all of our people that are looing at Council today to come Downtown tomorrow morning and join with us and also bring me a jar of peanut butter, and they'll tell you why.

Speaker:

Thank you very much for the resolution and for the day to day, year round efforts that our local government gives in support of agencies like those of us represented here today.

We chose this year to concentrate on peanut butter because the peanut market caused a rise in the price of peanut butter. Peanut butter is a highly nutritious item and one that's very easy for children to take advantage of after school and

very easy, also, for elderly people to use.

So, we're hoping that we'll be able to generate 18,000 jars of peanut butter tomorrow because that's the number of households that are assisted every month here in the City and throughout the County and we're very grateful to Foodland Markets who are matching one jar of jelly for every two jars of peanut butter donated. So, your contribution will be multiplied. Thank you very much.

With me today is Bridgit Lund from Just Harvest, Board of Directors, President of the Board, and Ann Mason from Hunger Services Network, who is the Executive Director.

Ms. Lund:

Thank you. First, I thank you as the Board President of Just Harvest for your partnership and making a difference for the citizens of Pittsburgh around this issue of hunger.

Also, I invite you to Duranti's Restaurant in Oakland this Friday evening to hear Dr. Joyce Elders, a pediatrician who will speak on the challenge of childhood hunger and it is the Just Harvest annual dinner. Thank you very much.

Ms. Mason:

I just want to thank City Council and the City and the thousands of volunteers that work in food pantries throughout the City of Pittsburgh that we work with at Hunger Services Network when we bring emergency food assistance through your local pantry to over 16,000 people each year.

We also have to get food stamps and we know that World Food Day is one way to bring this issue to the awareness of people throughout the City and throughout the County.

We appreciate your support and we hope you will come down tomorrow and find out what's going on.

And if you have any local schools that would like to have a program about World Food Day, please call Hunger Services Network. Thank you.

Mr. Darkins:

Would Dr. LaDoris McClanley come forward, please?

Mr. President and my colleagues on Council and especially the First Lady, Michelle. Today I am so honored to be able to read this resolution because Dr. LaDoris McClanley and I attended elementary school together.

Mr. Darkins presents

No. 3246 WHEREAS, Dr. LaDoris McClanley is a woman who has courageously encountered many of life's challenges and emerged victorious; and

WHEREAS, Dr. LaDoris McClanley has spent the vast majority of her life uplifting and enriching the lives of people; and

WHEREAS, Dr. LaDoris McClanley's mother, Eula McClanley, was born a sharecropper's daughter and rose to the heights of multi-millionaire by building a real estate empire in the State of California; and

WHEREAS, Dr. LaDoris McClanley was raised in Pittsburgh, Pennsylvania and educated at Shaw University of Raleigh, North Carolina and Pepperdine University of Los Angeles, California; and

WHEREAS, Dr. LaDoris McClanley holds an honorary Doctorate degree in

Humanities from Shorter College of Little Rock, Arkansas as well as a Doctor of Human Letters from Bethune-Cookman College of Daytona Beach, Florida; and

WHEREAS, Dr. LaDoris McClanley is the Chief Executive Officer of McClanley Properties which is frequently responsible for providing free housing and services for the homeless as well as managing family owned properties in Hombly Hills and Beverly Hills, California.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Dr. LaDoris McClanley for her outstanding achievements in business and education; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims October 15, 16, 17, 18, 19 and 20, 1991 as "Dr. LaDoris McClanley Days" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Dr. McClanley has come back to Pittsburgh and we're going to have her say something.

As it states, First Lady of Council, she is one that I am very proud of that I went to elementary school with. She has made it big; she's a multi-millionaire. She spoke at our church services on Sunday morning. And when she entered Council today, she said that she was amazed to receive so many phone calls. She was not aware that our radio ministry reached so

many people.

She will be here on Sunday evening. She is the speaker at the Southern Platter Convention Center for the Homewood-Brushton Improvement Association's annual dinner.

I'm just so gratified to have LaDoris come back home to Pittsburgh and to be the speaker for the dinner and that my colleagues on Council were so humble in helping us to honor her.

So many times as I look at Michelle who I honor and look up to and respect so highly, not because she's the senior Member of Council but because she is a woman and I think today is the day for women and they're supposed to be raised up. And this is the day I'm not waiting for the Lord to raise her up. We're helping her to be raised.

Dr. McClaney:

To Councilman Darkins, my very, very dear friend for many years, to the Councilmembers, I'm grateful to be here today. I have been honored all over this country but today is exceptional for me because Pittsburgh is home.

Elementary school together, we tap danced together, and I think he tap danced a little better than I. We have been friends for many years and on to Westinghouse High School.

It is, indeed, a pleasure that all that I am my formative beginning started right here in Pittsburgh, Pennsylvania. And even though I have been in California longer than anywhere else, I tell people all over the world that Pittsburgh, Pennsylvania is my home.

I'm very grateful to each and every one of you and I am humbled to be able to receive this award today.

I close by saying to you that my God has truly been good to me, having had a mother from the backfields of Alabama, born in poverty but refused to be a victim, a victim of racism, sexism, or economic situation, that rose to become one of the richest women in the United States.

But it is not a rags to riches story because when you've heard one, you've heard them all. And I at this point in my life am being moved and it's not by the wind. But if I am not able to be able to take it and to help somebody else, then my life has fully been in vain.

Again, God bless each and every one of you. Thank you and, indeed, it has been a pleasure.

Mr. Ricciardi:

Just a brief comment. After listening very closely to Councilman Darkins' resolution honoring Dr. McClaney, I would just like not only to commend her on her business attributes but for what she has given back to the community, especially helping the homeless. That's what I especially commend her for. Thank you.

Mr. Regan:

I'd like to have Councilman Ricciardi join me here for this resolution because he's the Chairman of Parks and Recreation.

We're going to honor today Lindsay Clack who is the Director of the Aviary. Would you please come up, Lindsay?

Mr. Regan presents

No. 3247 WHEREAS, the Pittsburgh Aviary, which houses more than 600 birds, houses one of the largest collections of birds in the country; and

WHEREAS, the Pittsburgh Aviary, located on Pittsburgh's Northside, has been an attraction for visitors of all ages as they come to explore the bird world within the confines of four walls; and

WHEREAS, Aviary Director Lindsay Clack is to be commended for his outstanding efforts to keep the Aviary open even in times of possible crisis; and

WHEREAS, the staff and numerous Aviary volunteers work together to provide an educational yet entertaining atmosphere for all Pittsburghers to enjoy; and

WHEREAS, on October 15, 1991, the Aviary supporters will hold a "Tag Day" in the streets of Downtown Pittsburgh, collecting money to support the Aviary in the event it should close; and

WHEREAS, also on October 15, 1991, a rally will be held on the steps of the City-County Building to give people a chance to voice their opinions on why it is so important that the Aviary remains open; and

WHEREAS, the public hearing on the Pittsburgh Aviary will be held at 2:00 p.m. on October 15, 1991 to give speakers the chance to present to Council their reasoning for keeping the Aviary open.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim October 15, 1991 as "Aviary Day" in the City of Pittsburgh to recognize the tag day, rally and public hearing taking place on this day, and to show support for the Pittsburgh Aviary so that it might remain open. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Regan:

We have a guy from Australia running our Aviary. Lindsay, would you like to say a few words?

Mr. Clack:

Very few. On behalf of myself, the Aviary staff, our tremendous volunteer group, and all our public supporters, I'd like to thank Councilman Regan and Members of Council for this resolution.

You're going to hear enough about the Aviary this afternoon, I'm sure. Just let me say that it is going to be a difficult period of transition from being City-run to being privatized and any support, and I certainly hope there's going to be considerable support from City Council, will help us in this rather difficult period of transition. Thank you.

Michelle Madoff:

In times of need and times of hardship which fall on all the cities in the country, and Pittsburgh is no exception, I'd like to remind everyone that the people who use the Zoo, the Aviary and the Conservatory are not overwhelmingly City residents. About 20, 25 percent at the max are users. Basically we have non-City residents using this facility. It may not be quite the same for the Aviary, there may be more City residents because of the nature and location of it.

Mr. Clack:

It's approximately 40 percent.

Michelle Madoff:

I would suggest that when we look at our budget for the future that Council pay just their fair share. If 40 percent of the people using the Aviary are City residents, we ought to pay 40 percent. If it's 20 percent, we ought to pay 20 percent. I think someone needs to talk to our County Commissioners about the non-City residents and the people in the five-county region in the State for paying their fair share.

Maybe we need to go back to when the Zoo was privatized and start raising some funds, getting the people who care about these facilities to start making a yearly commitment, contribution, and not rely on a tag day. There's a lot of people restating the obvious, that obviously we have to keep the Aviary. It's a very important part of our City. But who is going to make a contribution and how much?

And would you please tell them, there's a lot of people listening, this is televised, where can they send their contributions to keep the Aviary alive?

Mr. Clack:

They can send it to WTAE, I think it's Box 1250. The check can be made out to "Save The Aviary". There is a special fund being set up.

Michelle Madoff:

"Save The Aviary" in care of WTAE, Box 1250, Pittsburgh. Even WTAE, it will get there. And make your checks generous.

The Chair:

Pittsburgh National Bank is in there also.

Mr. Regan:

I would like to say where you can send your donations to Save The Aviary:

Pittsburgh National Bank
Allegheny Center
Pittsburgh, PA 15212

I want to make sure that we put that Zip Code down because the North Side, for all who don't know it, is big enough to have three Zip Codes: 12, 14 and 33.

And the check is made out to:

"Save The Aviary"

Michelle Madoff:

If people really care about the City, put your money where your mouth is.

Mr. Ferlo:

Mr. Clack, first of all, I want to thank you for your efforts all these years at the Aviary, but I want to remind you, as well as the public and anybody else listening, that this City Council is a legislative body. We have not voted to divest ourselves of the Aviary or any of the public property. So, some of your comments are a bit premature.

I appreciate the crisis that this Administration has created around the Aviary. The first we learned of this, Council took immediate action and that was with Mr. Wagner's legislation dealing with the fee schedule. There are other things that we have yet to consider.

But please do not suggest, because I personally have not voted nor considered any motion to divest ourselves of this public property. We're very much concerned about the Aviary remaining a viable institution in this City and I'd like to at least have some say-so in that matter as somebody who is elected to represent people in this City.

Mr. Clack:

I hope people like you do have a chance to have a say-so in that matter.

Michelle Madoff:

A slight correction. They started raising the fees for the Zoo, the Aviary and the Conservatory over the years because I screamed. Jack did it this year.

The Chair:

I'd like to thank you also, Mr. Clack. You have shown great courage in keeping that facility open and Council is intent on keeping it open and working with you and the public-private partnership. And hopefully, State government will deal with the issue of regional entities and a funding source for regional entities because, truly, that's the permanent way of solving this problem with the Zoo, the Aviary and the Conservatory and Three Rivers Stadium, and we could go on and on and on. And it really relates to a piece of legislation at the State level to accommodate the financial needs of the region.

Mr. Clack:

That's what has happened to other zoological institutions in other states.

Michelle Madoff:

Didn't you get bird seed donated?

Mr. Clack:

No.

Michelle Madoff:

It was in the papers that somebody --

Mr. Clack:

That's not to us.

Mr. Regan:

I'd like to ask Mr. Ricciardi to say a few words, the Director of Parks and Recreation.

Mr. Ricciardi:

First I'd like to say to the public that I think this City Council realized and appreciates the importance of the North Side Aviary. Early this morning I received a petition in my office by 7 and 8 year olds in their own writing on how important it is to this group of people.

So, I believe Mr. Ferlo is correct. I believe we see the responsibility that we have to all segments of society, especially here in the Pittsburgh area, especially when it comes to our young people, people who are looking to us, for example, in leadership. I believe this petition that we received in our office today really shows the importance of that facility.

Thank you, colleagues and thank you, Director.

The Chair:

Thank you, Mr. Clack.

Mr. Regan:

I'd like to have Douglas and Peggy Opperman come up now, and their granddaughter, Rachel.

Mr. Regan presents

No. 3248 WHEREAS, ladies and gentlemen, you have heard about marble champions before; now I'm going to introduce you to the greatest marble champion ever.

WHEREAS, Mr. Douglas Opperman was born and raised on Charles Street on Pittsburgh's North Side, and has been an avid marble shooter since early in his childhood; and

WHEREAS, during the depression, Mr. Opperman practiced marbles in his family's basement on a clay court which was built by his father to assist him in his quest for the National Championship; and

WHEREAS, in 1937 Mr. Opperman was named Marble Champion of the City of Pittsburgh, a title which would be repeated in 1938, 1939 and 1940; and

WHEREAS, after winning the City Championship Title, Mr. Opperman went to the World's Fair in New York City and won the National Marbles Championship Title; and

WHEREAS, Mr. Opperman was one of the first ten people credited as National and World Champion, and the very first Pittsburgher to be crowned National Champ; and

WHEREAS, Mr. Opperman once taped a dollar bill on an old refrigerator and challenged that if anyone could beat him, they could have the dollar (of course, no one beat him); and

WHEREAS, there was a time when

marbles were scarce on the North Side, but that's because they were all in Doug Opperman's basement; and

WHEREAS, after his days of marble shooting, Mr. Opperman signed a contract with the Pittsburgh Pirates in 1949, and then went on to play for the New York Yankees farm system known as the Butler Yankees in the Mid-Atlantic League; and

WHEREAS, while playing minor league baseball, Mr. Opperman was the roommate of the one and only Whitey Ford.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Tuesday, October 8, 1991 as "Douglas Opperman Day" in the City of Pittsburgh to commend Mr. Opperman for his long overdue recognition as a National Marbles Champion and his dedication as a long time member of our great City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

I'd like to congratulate Mr. Opperman for his outstanding achievements. You know, they used to say on the North Side in those days when things were rough, in every alley on the North Side there was either one or the other. If you had money, you shot crap; if you didn't have money, you shot marbles.

So, Douglas, we're proud and honored to have you here and I'd like for you to say a couple words.

Mr. Opperman:

I appreciate Council having me here today, especially Baldy.

I'd like to go on and say about marbles, back in those days marbles was big everywhere. Today it's mostly Lawrenceville and South Side. That's the only two places that have marbles.

We got into marbles like Baldy said. When you had money, you shot crap. When you were broke, you played marbles. I was broke so I shot marbles most of the time.

Anyhow, getting back to marbles, it was so big that the first year I won the City Championship I won a bicycle. I went to Wildwood. I was competing with the best players. I didn't know that much about the game, but I thought I did.

The second year, I stayed in it and I won another bike. I went to Wildwood and finished so-so.

The third year, I won another bike. I went to Wildwood and I was a runner-up.

The last year, the last and final year, of course the bikes kept me shooting marbles too, and I went and told my father that I couldn't compete with these guys because you had to have like a pool player, a back spin, shoot marbles and hit marbles and bring it back in the ring, which is really an art. So, my dad built this clay ring, like Baldy said, in the cellar, and we shot all winter long. That was the last year.

So, come June of 1940 I went to the World's Fair and won this honor. And this crown was presented to me by Abbott and Costello and Jimmy Braddock, which I cherish, 51 years ago.

In the meantime, getting back to the bicycles, I won another bike in 1940. In fact, I won two bikes. One for the City again, and one for the Championship in the World's Fair. We're from a family of ten on Charles street, we didn't have a whole lot, but we all had bicycles.

That's about all I have to say right now and I appreciate Baldy having me here.

The Chair:

Thank you.

Mr. Coyne for Mr. Cohen presented

No. 3222 Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$667.70 in payment of railroad flagging services required during inspection of the South Aiken and Herron Avenue Bridges, payable from Code Account EC 91-57.

Also,

No. 3223 Resolution transferring \$3,000.00 from Code Account 1490, Equipment, to Code Account 1482, Misc. Services, both accounts in the Department of Engineering and Construction. This resolution will provide sufficient funds for various miscellaneous services, particularly the licensing fee for nuclear gauges at the Materials Testing Lab.

Which were read and referred to the Committee on Finance.

Also,

No. 3224 Resolution further amending Res. No. 1415, eff. Jan. 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and

approving the 1991 through 1996 Capital Improvement Program," by creating a new line item (EC 91-569) Miscellaneous Restoration of Pittsburgh Water and Sewer Authority Projects.

No. 3225 Resolution providing for a Contract or Contracts, or use of existing Contracts for Miscellaneous Restoration of Various Water & Sewer Authority projects, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC 91-569.

Also,

No. 3226 Resolution providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation, to reimburse the City for a portion of the costs associated with the posting of weight limit signs as required on various City-owned bridges. Any reimbursement received from the state/federal government shall be deposited in Code Account EC 91-512.

Also,

No. 3227 Resolution amending Resolution No. 227, eff. March 14, 1991, entitled "Providing for an Agreement or Agreements with a Consultant or Consultants, for Architectural and Engineering Services in connection with the Design of Holding Cells, Arraignment Court, and other functions for prisoner processing at the old Public Safety Building; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$37,500.00, from \$140,000.00 to \$177,500.00, chargeable to and payable from Code Account EC 86-88.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 3228 Resolution providing for the transfer of funds totalling \$20,000.00 to Misc. Services, Code Account 1176, as follows: \$5,000.00 from Code Account 1174, Rental & Equipment; \$15,000.00 from Code Account 1188, Recycling Services, all accounts within the Department of Environmental Services.

Which was read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 3229 Resolution amending Res. No. 540, eff. June 5, 1991, entitled "Resolution providing for an Agreement or Agreements with the Polish Hill Civic Association for the administrative/operating support in an amount not to exceed \$11,288.00", so as to expand the scope of activities to be undertaken by the Agency. Chargeable to and payable from the 1991 CDBG Program - City Council, "Polish Hill Civic Association".

Also,

No. 3230 Resolution amending Resolution No. 724, approved August 29, 1988, so as to amend the streets included in the Squirrel Hill CMU area (Area "K") in conformance with Section 549.06 of the Pittsburgh Code.

Which were read and referred to the Committee

on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 3231 Resolution providing for the rental of a charter bus for elderly City residents to investigate the Baltimore's Waxter Senior Citizen Center and the Office of Aging in Baltimore, Maryland, October 22-23, 1991, at a cost not to exceed \$925.00, chargeable to and payable from Code Account 1001-1 (100115), Misc. Services, Supplies and Equipment, City Council.

---(PRIOR APPROVAL GRANTED)

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Parks and Recreation.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Millones seconded the motion.

Which motion prevailed.

Also,

No. 3232 Resolution providing for the transfer of funds totalling \$105,000.00 from Code Account 1922, Misc. Services, Administration Division, Dept. of Water, to Code

Account 51, Postage, Dept. of Finance. This transfer is required to replenish the advance postage due account used for mailing the Department of Water's customer water bills, and daily mail by the U.S. Postal Service. The transfer will fund the postage due account throughout the year.

Also,

No. 3233 Resolution providing for the issuance of a warrant in favor of Davison Sand & Gravel Co., in the aggregate amount of \$2,167.04 in payment for sand and gravel furnished for the benefit of the City in connection with daily distribution division activities, chargeable to and payable from Code Account 1986, Department of Water.

Which were read and referred to the Committee on Finance.

Mr. Millones presented

No. 3234 Resolution amending Res. No. 634 of 1991 entitled "Providing for the filing of an application or applications by the City of Pgh. with the U.S. Dept. of Labor and/or Commonwealth of Pa. for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pgh. to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act projects; and providing for the deposit of funds into a bank account" by increasing the amount

available for subcontractor agreements by \$585,735.00 from \$1,584,336.00 to \$2,170,071.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 3235 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 3236 Resolution providing for the issuance of a warrant to Martin J. Horgan in the amount of \$4,000.00 in full settlement of a claim for damages arising from a decision not to hire Mr. Horgan in June 1991, payable from Code Account No. 46, Judgments.

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 3237 Resolution authorizing the transfer of the aggregate amount of \$450,000.00 from the 1991 Community Development Block Grant Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, to the

General Fund of the City of Pittsburgh for reimbursement of salaries, wages, fringes and indirect cost incurred in support of the City's Community Development Block Grant Program. This transfer is necessary for reimbursement of salaries, wages, fringes, and indirect cost incurred in support of the City's Community Development Block Grant Program.

Which was read and referred to the Committee on Finance.

Also,

No. 3238 Resolution authorizing the Mayor and the Director of the Dept. of Parks and Recreation to enter into an agreement or agreements with a bank for professional services in connection with the implementation of a Visa/Mastercard Payment Program to be instituted at Phipps Conservatory for payment of counter sales and permits at an annual cost not to exceed \$25,000.00, chargeable to and payable from Code Account PCTF, Phipps Conservatory Trust Fund, in the Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 3239 Communication from Michael Perry, City Clerk, submitting the Third Quarterly Travel Report for 1991 from various departments.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3240

Report of the Committee on Finance for October 8, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3175

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pennsylvania Department of Transportation in the amount of \$4,740.63 for the City's portion of reimbursement for Commonwealth incurred costs on the Grant Street, Phase II project; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3181

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,000.00 in payment for professional consulting services rendered to Michelle Madoff for the month of October 1991."

--(SPONSORED BY MICHELLE MADOFF)

Which was read.

Also,

Bill No. 3186

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pamela A. Smoot, 1838 Arcena Street, Pittsburgh, PA 15219, in the amount of \$2,333.33 in payment for professional consulting services rendered to Jake Milliones."

---(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 3187

A Resolution entitled, "Resolution providing for the issuance of a \$1,043.99 warrant in favor of Helen M. Rice in settlement of claim for vehicle damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed

finally.

Also,

Bill No. 3188

A Resolution entitled, "Resolution transferring the sum of ten thousand dollars (\$10,000.00) from Code Account 1061 Salaries, Temporary Employees (106114) to Code Account 1061-1, Premium Pay, (106112) Department of Finance."

Which was read.

Also,

Bill No. 3189

A Resolution entitled, "Resolution amending Resolution No. 777, approved August 7, 1991 and effective August 14, 1991, entitled 'Resolution authorizing the City to enter into an agreement or agreements, in form approved by the City Solicitor, with the Union National Bank of Pittsburgh (the 'Bank'), to serve as the successor trustee for the Workers' Compensation Reserve Trust (the 'Trust'), authorizing the payment of compensation to the bank from the corpus of the Trust, authorizing the City to enter into a release and indemnity agreement with the Bank, and authorizing the City Controller to transfer to the Trust such funds as may be necessary to adequately fund the reserves', so as to reflect Integra National Bank - Pittsburgh as the name of the successor trustee."

Which was read.

Also,

Bill No. 3190

A Resolution entitled, "Resolution providing for the conveyance of certain property in the 23rd Ward, City of Pittsburgh, designated as Block

24N, Lot 34, to Harry Anderson, for the sum of \$10,120.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3207

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Arthur L. Young, 3134 Terrace Street, Pittsburgh, PA 15213, in the amount of \$2,000.00 in payment for professional consulting services rendered to Councilman Jake Milliones." ---**(SPONSORED BY MR. MILLIONES)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 3241

Report of the Committee on Public Works for October 8, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3201

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for Street Lighting Transfers at various locations throughout the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 3242

Report of the Committee on Planning, Housing and Development for October 8, 1991 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2980

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine 'Zoning', Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing: From 'R4' 'Multiple-Family Residence District to 'A1' Commercial-Residential Associated District all that certain property bounded by: PENN AVENUE; Lot No. 121, Block 49-M in the Allegheny County Lot

and Block System which is the present 'A1' zoning district boundary line; Comrie Way and Lot No. 125, Block 49-M in the aforesaid System, 9th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 **NOES none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 3243

Report of the Committee on Public Safety for October 8, 1991 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation.

Bill No. 3191

An Ordinance entitled, "An Ordinance amending Ordinance No. 37, approved December 20, 1990, entitled 'An Ordinance amending Ordinance No. 17, approved August 17, 1990, entitled 'An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing, Article VII - Service Businesses, Chapter 765 - Commercial Refuse, to add provisions for the administration and regulation of the collection and recycling of recyclable materials and leaf waste, and imposing penalties for the violations thereof to amend the types of materials to be collected by the Department of Environmental Services, the manner of collection of such materials and related licensing requirements, and to renumber the subsequent sections and references accordingly' to change certain provisions governing the licensing of haulers of municipal waste, recyclable materials and leaf waste."

Which was read.

Mr. Regan:

I'd like to present an amendment to Bill 3191, and you have it before you.

Mr. Ferlo seconded the motion.

Mr. Ferlo:

I support this amendment. I hope that we approve this legislation. It basically addresses Council's concern when we voted in the negative. We do set fees today and this legislation regarding leaf waste hauling, but we reserve the right in the future for Council as a legislative body decide what fees will be set.

Mr. Ricciardi:

Mr. President, I also support the amendment and will vote in the affirmative for the bill. However, I would like to ask a request from Director Cannon for the number of licensed commercial haulers in the City of Pittsburgh and also the fee history of these haulers. So, if we could make that a formal request to Director Cannon.

The Chair:

Thank you. Mr. Perry will do that.

All in favor of the amendment?
Opposed?

WHICH MOTION PREVAILED.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 3210

A Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreement or Agreements with a Consultant or Consultants to purchase software, and to modify, install and train on existing systems for Emergency Medical Services Billing, at a cost not to exceed thirteen thousand dollars (\$13,000.00), chargeable to and payable from Code Account 1401, Index Code 140103, Bureau of Administration, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne for Mr. Cohen presented

Bill No. 3244

Report of the Committee on Engineering and Construction for October 8, 1991 transmitting

one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3176

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for the Design and Construction of the Overbrook Senior Center; and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

I'm all in favor of building a \$750,000 senior citizen center in Overbrook which is ten years overdue, but I'm also for keeping the Fire Station there.

Also, I would like my remarks brought forward on this.

The Chair:

I would like my comments brought forward on this bill also.

(REMARKS ON FOLLOWING PAGE)

BEGINNING - MESSRS. FERLO AND WAGNER'S COMMENTS ON BILL NO.
3176, WEDNESDAY, OCTOBER 9, 1991)

Mr. Wagner:

I have a brief comment. This project, the construction of the Overbrook Senior Center has been attempted to be done for the last four years. It was funded originally in the Capital Budget three years ago and there has been an aggressive posture to try and find a location to build a building, to buy a building, to revamp a building and several locations have been attempted, none of which have come to fruition. Finally, after four years of searching we have found a location at Saint Norbert's Church and Mr. Reginella could speak to it if any Councilmember desires in the process of working out a lease arrangement of a parcel on that property that is an excellent location for the Overbrook Senior Center.

The present center is a center that is totally inadequate, it is a fire trap and in a building where there are too many people to do the services that are necessary to provide to the seniors in the Overbrook neighborhood.

The Mayor has made a commitment long ago for this project, I have, previous Councils have, and I would certainly appreciate Council's support.

Mr. Ferlo:

I support the expenditure. This has been a struggle on the part of this community for at least a decade to try to get this senior center. I do however find it interesting that the Mayor is willing to support the \$600,000 plus expenditure for a senior center that's probably going to service a few hundred people and at the same time proposes to close a fire station that services 25,000 people.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo
Michelle Madoff
Mr. Milliones

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council, a week from today some 60 or 70 seniors are going to go down to Baltimore to look at a facility there that has a developed program for aging. There are going to be seniors from all over the City, basically from my area but also seniors from all over the City.

We raised, my office, Bill Urbanic, Sarah Meeks, Linda Sarno and Anne Yahr, spent a lot of time and they raised the money for the bus.

And also from one of the bankers, and we're going to honor them here with a resolution, supplied the money for the hotel to stay overnight because the City couldn't do that.

We're going to raise some money. We're

going to raise some money, would anybody like to chip in, my colleagues, to buy box lunches for these people. Fluted Mushroom, I haven't called them yet, but if you're listening, Fluted Mushroom, I need box lunches.

And if any Members of Council would like to accompany them next Tuesday, staying overnight and coming back on Wednesday -- It's the largest segment of our community and really needs help and I would appreciate anybody who wants to go along, if anybody feels that they have the time.

I'm just alerting you to the fact that they're going and any contributions would be appreciated.

The Chair:

Great idea.

Michelle Madoff:

I thought you might go, Mr. President. Are you going to go?

The Chair:

I can't. I have to chair the meeting.

Mr. Regan:

I'll match your contributions, Michelle.

Michelle Madoff:

Okay, well, it's \$750 just for the lunches.

Mr. Regan:

I didn't say that. I said I'll match whatever you put up.

Michelle Madoff:

Anything you give, I'll match you.

Mr. Regan:

No, no.

Mr. Chairman, I have a statement to make.

In recent weeks the Mayor's Office has thrown us a number of what seemed bizarre proposals concerning the City's financial affairs. We were told that we need to construct a baseball "Field of Dreams" next door to Three Rivers Stadium which is still encumbered with construction debt. It was hinted that the Aviary, Phipps Conservatory and the Zoo had seen their last days of City funding. More than 25 dedicated, loyal City employees were handed their walking papers because we could not afford them. A high-priced consulting firm from Canada, at a cost of \$195,000, told us that some of our neighborhoods do not need the firehouses that have been there for years. The only good that has come from all of these is that the Administration quickly retreated from its ill-conceived idea for a baseball-only stadium. We have little or nothing to tell us how we are to confront the expected \$35 million budget deficit for 1992.

No one disputes that the Aviary, Conservatory and Zoo, as well as our neighborhood firehouses, cost money. Clearly, they do. However, the Aviary, Conservatory and Zoo enrich the quality of life in our City. These are places where entire families can spend an enjoyable day at a reasonable cost. Each of these facilities adds to our cultural betterment. To refuse City funding to these is to tell the world that we are finished with institutions that are not cost effective.

The same is true with respect to the removal of firehouses from many of our neighborhoods. If we were a City such as Phoenix with modern six lane streets laid out with geometrical precision, perhaps we could make do with fewer fire houses. That is not the case. Many of our neighborhoods, especially on the North Side, are crammed onto hillsides. A drive down the East Street Valley Expressway on Interstate 279 is enlightening. Look at the surrounding hills, and note the houses. Most of these are accessed only by narrow, winding roads that are not easily served by the large, modern fire equipment. The minutes that will be lost because areas such as this must await the arrival of fire fighting equipment from other neighborhoods that have their own firehouses could result in a serious loss of life.

I might be sympathetic to the elimination of neighborhood firehouses and our cultural amenities if these actions were an absolute necessity to enable us to keep our financial heads above water. I find it difficult to believe that we cannot find less disruptive ways to save City dollars, and this view is reinforced every time I look across the Ohio River to Cityview Plaza, the home of City Court.

This multi-million dollar albatross is an expensive, needless institution that is at odds with the unified judicial system in effect throughout the rest of Pennsylvania. It is a luxury that we cannot afford; it duplicates the judicial system of elected district justices that serve every other municipality in our state at the expense of the state and counties; and, last but by no means least, its atmosphere is that of a police court.

Since I first proposed that this unnecessary arm of City government be eliminated last Spring, I have not received so much as one communication challenging my position. All of us have received and reviewed the Controller's report that we requested last

Spring, and we have all received and reviewed the financial and other information that was supplied to us by City Court itself. This information tells us that we are obligated to allocate several million dollars each year to fund this institution. Yet, we receive nothing from it that would not be received under the unified judicial system that operates throughout Pennsylvania. The elected district justices can sentence offenders to pay fines and court costs as well as can the appointed magistrates in City Court. We receive fines and costs to which we are entitled under state law and our ordinances no matter which judicial system imposes them.

When we held our public hearing about my plan to deny funding to City Court last June, I was surprised that there was no opposition to it with the exception of the two City Court magistrates who favored us with their comments. No member of the public came forward to tell us that I was off-base by making such a proposal. Contrast that to the reaction we have received, and are continuing to receive, about the recent financial proposals originating from the Mayor's Office. Representatives of the elected district justices did appear, and without qualification, each asserted that these persons were willing and able to perform each function of City Court in the same manner as do their colleagues throughout Pennsylvania.

Wouldn't it be pleasant if all budget decisions were as simple as that presented by my suggestion to stop spending several million dollars a year on City Court? I would love to be able to tell my constituents in Brighton Heights and Troy Hill, who are scheduled to lose a firehouse, that there is another firehouse in the neighborhood to serve them, and, best of all, that the other firehouse is paid for with state and county, rather than city, funds. City Court is the only function of City government that can be eliminated with little or no effect on any City resident at a several million dollar annual saving.

One of the magistrates who appeared before us related the specialized work that is done by Housing Court. This branch of City Court has developed a certain degree of expertise because of the limitations on the type of cases brought before it. This, however, is not a sufficient reason to retain City Court as an arm of our government. If a specialized housing court is needed to serve the City, the President Judge of the Allegheny County Common Pleas Court has the power to direct that all City housing code violations be filed before one or more specified district justices. This is being done today in other types of specialized cases, such as those involving school truancy violations and Allegheny County Health Code infractions.

The two other principal reasons advanced for the continued funding of City Court were what is referred to in law as venue matters and, in addition, the potential loss of social services to some victims that apparently are now available in the City Court building. Let me first address the social service issue. It is not the function of the judiciary to determine what social services should be available to victims of crimes. That is the duty of the Mayor and City Council as the executive and legislative branches of City government. Whether such social services should be available and under what conditions and at what cost are questions that should, and must, be resolved by the Mayor and us in these Chambers. It is for us, and not City Court magistrates, to consider and decide whether it is more important to retain our neighborhood firehouses or to provide social services to some, but not all, who are victims of crime. To the extent that social services are provided by volunteer organizations, the providers may be surprised to learn that more persons will step forward to offer their services as volunteers when they can remain in their neighborhoods where the elected district justices are located.

The so-called venue matters are nothing more than a smoke screen. As every district justice, magistrate and attorney knows, a district justice has the authority to decide any case arising in Allegheny County unless one of the parties objects. In my almost 20 years as a district justice, I encountered very few venue objections. Any experienced jurist will tell you that venue problems occur more often in theory than in practice.

There is yet another reason for us to eliminate our financial support of City Court. Unfortunately, this cannot be measured in dollars and cents. For many persons who appear in City Court, and especially in Traffic Court, this is their first and last experience with a judicial system. Appearing in any court proceeding is an emotional experience for most of us. It can become even more emotional when the appearance of a stacked deck exists. Our City Court magistrates are very competent and dedicated. However, the appearance of uniformed and plainclothes police officers hanging around the magistrate's bench, as I have observed in City Court, is not conducive to a fair and impartial atmosphere. Uniformed detention officers act as bailiffs in the courtrooms. They are charged with maintaining order. Ordinary citizens have complained that they have been asked to leave the courtroom because they were observed whispering or talking quietly to another in the spectator section of the courtroom while, at the same time, police officers were engaged in animated conversations with other officers, under the nose of the person acting as bailiff.

Recently, a distinguished attorney with more than 20 years of experience appeared in City Court with a client to answer a minor charge that occurred after a Pirate game at Three Rivers Stadium. After a wait of almost three hours for his client's case to be called, the attorney attempted to cross-examine the arresting officer and other prosecution witnesses. The magistrate

did not approve of the attorney's efforts, and she interrupted the case by moving it to the end of the day's list. The attorney objected, but he was told by the magistrate: "Sir, you're going to be locked up in about two minutes." When the case reconvened, the magistrate explained her actions saying: "If I could say something first, please, sir. I want you to know there's been a lot of pressure to get officers back out onto the streets today because of what they're trying to do in terms of drug suppression. That's another reason why I had to move some people out of here. We're trying to deal with all sorts of conflicting interests here."

From whom did this "pressure to get officers back out onto the streets" come? I fear the answer will demonstrate the degree to which City Court is controlled by the very persons whose activities must be judged. Every case filed in City Court is initiated by a police officer, building inspector or other City official employed by the City's executive branch. If the Mayor's Office dictates the policies that City Court must follow, do we have an independent judiciary? We know the answer!

Our City faces a severe financial crisis. Cuts must be made. Let's trim the fat and keep the lean. We can show our citizens that we mean business by getting in setp with the rest of the municipalities in Pennsylvania. We can eliminate our outmoded, expensive and unnecessary City Court. We can let the state and county governments provide for our judiciary, just as occurs in every other city, borough, township and other municipality throughout Allegheny and the rest of the state.

A popular theme in Council Chambers is to devise ways to impose costs of City government on the suburbanites who work and visit within our borders. We tell the County Commissioners to fund the Aviary, Phipps Conservatory and the Zoo. Yet we have a judicial

system in place that is funded entirely by state and county funds upon which we turn our backs at a cost to our taxpayers of several million dollars a year. We must remember that City Court is not for City residents, alone. It deals with crimes, offenses and infractions committed in the City, even though the victim or the defendant, or both, may be suburbanites. We have the opportunity to get the tax dollars of these persons involved in our judicial system. Let's do it by cutting City Court and using our elected district justices. Perhaps we can then take a better look at some problems that affect City residents alone, such as firehouses in all of our neighborhoods.

Thank you very much.

Michelle Madoff:

On the same subject. I would like to ask my colleague a question. Why is it that if the City could save so much money that it isn't done? It just seems so logical. Why isn't it done?

Mr. Regan:

That's what I'm asking you, Councilwoman. Why?

Michelle Madoff:

I'm asking you the same question.

Mr. Regan:

You keep talking about the suburbanites not paying their fair share. In every township and borough and every municipality and every county in the State of Pennsylvania, the courts are funded by the state and the county.

Michelle Madoff:

What about other cities across the country? I don't know.

Mr. Regan:

No other city in the state of Pennsylvania. We are the only one. No other city. No other township or borough but the City of Pittsburgh.

Mr. Ferlo:

First of all, I have two unrelated issues, but on the issue that Mr. Regan has spoken at length about. I have spent a lot of time doing research and thinking about this issue since he first conducted the post agenda. And, while I personally still believe strongly that we need to retain a housing court magistrate because of the peculiar and the coordinated role that Building Inspection plays with that part of the court process regarding housing violations, I have come to the opinion that there's a lot of merit behind what Mr. Regan is talking about. In fact, I would hope that in preparation for the budget debate and considerations, that we have offered by Mr. Regan or others, amendments to the budget as proposed by the Administration, assuming they indeed keep the City Court intact, which I assume they would be doing since this past year they added to the court system. I would assume that Mr. Regan and others will be offering amendments. Personally, I will be supporting any amendments to take away portions of the City Court that deal with non-Housing Court issues. And I think it's not only a cost savings but it's more in keeping with what I believe to be a Supreme Court ruling regarding what Mr. Regan has referred to as a uniformed court system.

I think there's a legal avenue here as well as a legislative avenue. Legally I would like to see somebody challenge the fact that the City peculiar to anywhere else in the state has its own court system separate and apart from the uniformed court system of state and county government, which I think is a violation of the

Supreme Court rulings in the past, regardless of the fact that the State Legislature gave us the power to create this court system.

The disproportion of percentage of cases coming to the court system are for traffic violations and moving violations. I believe it was over 47-50 percent of the cases which I see no reason why those cases can't be handled more fairly, more equitably and, in fact, at greater convenience to the person who is presumed innocent until they get to the court at a district neighborhood-based office as opposed to the chaos of the City Court system.

So, I think there's definitely a lot of merit to Mr. Regan's proposal. I think it's something we need to look at and I think we need to be on top of it during the budget proceedings.

On two unrelated issues, Mr. Chairman. City Council is in receipt of a lawsuit that was filed by the University Health Center and National Development, specifically Mr. Aaronson representing Reed, Smith, Shaw and McClay. Obviously, I'm upset about the lawsuit.

There's an article that appeared in the Post Gazette this morning and I want to set one thing more clearly straight for the Record, and that is that the actions are not the actions of Jim Ferlo regarding the recommendation to the Historical Review Commission and the Planning Commission.

If you remember correctly, Council itself received a recommendation resolution from the Historical Review Commission that suggested in the affirmative that Council vote to favor historical designation of both the structure and the site. At the time that that vote was to take place, the wrecking ball was at hand doing its demolition. At that point we altered and modified the recommendation but to make sure that we did not abort any due process, and this was an issue

also that President Wagner raised, in order that we not abort any due process, we forwarded that recommendation back to both the Planning Commission and the Historical Review Commission to have a public hearing and a recommendation anew coming back to Council. Council itself will be holding a public hearing.

The lawsuit and the appeal that was filed by National Development is flawed because there is no final action to appeal from. Aaronson is misunderstood or outright misrepresented to the Court the procedural facts in the case. If you take the time to read the complaint, that is the fact. He's alleging things in that statement, that brief, that are just outright falsehoods.

Aaronson has wrongly represented to the court that the Council has taken final action on the amended resolution regarding the Syria Mosque site being part of the Schenley Farms Historic District. We have taken no such action. We're waiting to hold a public hearing. We're waiting to receive the recommendations from the two other commissions.

I'm urging, by way of a motion, that we communicate to the Solicitor that we ask the Solicitor to rigorously and zealously defend against what I consider a frivolous and contrived legal complaint that has been filed. Presbyterian Hospital and National Development, I feel, are wasting the City's time. Personally, I think Aaronson as an attorney should be disciplined for making such misrepresentations to the court and, obviously, I believe that the appeal should be dismissed.

This whole situation with the filing of the suit certainly adds to the credibility gap of Pitt President O'Connor and the actions of the University. At least four or five weeks ago the new President of Pitt was quoted in the Pittsburgh Press as saying that before anything goes up in the Syria Mosque, the University needs a master

plan, they need to assess their office needs, and he's saying something entirely different than what we are to presume relative to the actions of this lawsuit.

So, as part of my motion I'm asking that we receive a formal response from the Solicitor as to her view of this lawsuit, what actions she will be taking and when, if the Administration will indeed defend the integrity of our municipality to have a say-so not only in the historical designation ordinance but really what's being questioned here is the power of our local municipality to govern ourselves. What's being questioned by Mr. Aaronson in this complaint is our right to pass regulations and laws regarding land use, development and zoning matters.

I think those are things that we have to defend and I would like, by way of a motion, to receive a report and a briefing from the Administration, Solicitor Conturo, regarding what actions they will take.

The Chair:

We have scheduled a briefing on the legislation. Correct, Mr. Perry?

Mr. Perry:

Yes. Right.

Mr. Ferlo:

Could we have the date on that?

The Chair:

I believe it's next week after the Legislative Meeting.

Mr. Ferlo:

There will be a public hearing later this

month by the Planning Commission on this issue. The Historical Review Commission held a public hearing about a week ago and they have yet to vote on the issue.

And, Mr. President, as you know, you'll be scheduling the hearing when we receive the recommendation.

On a second matter regarding the so-called Fire Study. I am extremely upset about the preliminary findings and suggestions and recommendations of the Study that the City would best be represented, firefighting response would best be represented with the closing of eight fire stations and the reduction of equipment throughout the City.

While there's no closing specifically of any station within my Council district, at least in one of them, in Stanton Heights, there's a proposal to reduce the amount of firefighting capabilities. We would be left with a pumper truck.

There is a picket line protesting the initial recommendations of the Study this evening at 5:30 right out in front of the Stanton Heights Fire Station at Stanton Avenue and Hawthorne and I extend an invitation to all my colleagues to attend.

If you read through the report, as I have done, and at some point I'd like to at length discuss some of the issues addressed in the report, if we reduce firefighting capabilities as well as close stations throughout the City and also implement a system whereby each fire station will participate in First Responder, we can see in the situation of Stanton Heights, Garfield, Lawrenceville area, that we will be adversely affected. The threat of the pumper truck being out on First Responder calls, many of which are unnecessary medical calls, definitely reduces and threatens the response time.

I believe that's going to be the case in Overbrook and the Knoxville-Allentown area, in Troy Hill and Brighton Heights and Swisshelm Park and elsewhere. In fact, if you read the Study, I found it outrageous that the Study suggests that while 74 percent of the City will be covered adequately, what they didn't say in parenthesis was, that the remaining percentage of the City is indeed threatened with a service response time that will be greater than eight minutes. That's not said explicitly, but that's basically the effect of what this report has concluded.

I also found it interesting that one of the major concerns that this report raised over the years was the bad relationships between the City and the inability of this Administration and past Administrations to deal effectively with the collective bargaining process with the Firefighters Local No. 1. And yet that as being one of the most major concerns raised in the Study only occupied a one sentence statement. There was no analysis given to the performance.

I have said for some time that I thought the City should sever it's relationship with Mr. Schneider. Why they continue to have that gentleman negotiate contracts is unfathomable to me.

There are a lot of issues that need to come forward and at this time I'd like to make a motion, Mr. President, if you will allow me, that we hold a formal public hearing on both the preliminary study as released by Ernst and Young, and also any stated response or recommendation that would come from the Mayor and Director Cannon themselves. And that the hearing not be for at least a few weeks so that people can digest the information. And, personally, I believe my request to you, Mr. President, is that you consider an evening hearing only because a lot of community people who are fortunate enough to still have a job find it difficult to come Downtown

during the day. I'd like to make that in the form of a motion and that also the public hearing be televised.

Mr. Regan seconded the motion.

Michelle Madoff:

Discussion. It seems to me that we're jumping the gun. I think it would be more appropriate for us to have a briefing in public with the media right here in Council as part of our session on a Wednesday when we discuss - I don't want to make it a post agenda because they are not on camera and I don't want to make it a hearing because that's something entirely different. I want to have interaction with the Administration as to what is the true status, what is being planned and what is not being planned because we hear so many conflict comments.

The Mayor has been quoted as saying that she's not going to listen to the report, that she's going to do some other things.

But I will tell you that all of us were briefed by the Administration and as we're talking what comes back to my memory is that Mr. Turner took notes on the suggestion that I made and he agreed with that we're going to start charging people who abuse the system and use paramedics and fire trucks fraudulently which raises the cost to taxpayers and therefore we don't have the money to hire personnel.

Another understanding that I have been given, I haven't had proven to me but I'd like to hear more from the Administration, is that we're not going to cut back on the number of firefighters and get better service by cutting out some of the stations where they cannot deliver the service as rapidly. I don't know if that's true or not but we need some dialogue as opposed to saying this is an adversarial thing, let's attack the Administration, let's have a public hearing.

I'm saying, let's have a responsible meeting before budet time. And while we do that, I would like to also call for an updated hearing that I did some five or six years ago when I inadvertently learned that workers' comp dollars had gotten, Mike, was it \$30 million to \$70 million in four years, something like that. And we keep talking about from \$11 million to \$18 million and talk about the debt service. They don't talk about the real number.

The reason I think that becomes important is that I was appalled to read the editorial in the paper this weekend about the firefighters who take the weekend off with blue flu. They're on a vacation, they take a few extra days, and then the numbers of days that are being taken off are outrageous compared to the City at large and other cities. And I would like to have that addressed by the Administration. I find it very difficult to be sympathetic to firefighters when this is an on-going process.

We understand very clearly that when somebody takes workers' comp and is not justified, you're paying for a replacement. You're paying for the person on workers' comp. But more importantly, you don't have the person to back up either the police officer or the firefighter when they go into dangerous situations. There is no back up. So, we're endangering the person who is not taking the time off by the person that says, "I want a few days off."

So, I respectfully request that my colleague withdraw his request for a hearing until we've had a meeting with the Administration and that the President of Council, Mr. Jack Wagner, move post haste to set up that meeting. And also I would like to, if it's appropriate at this time, to indeed ask them to come and I will put in an item if I have to on the agenda that we update or review as a resolution the workers' comp so that they come duing the regular session and we take the

time to hear what is being said. That's how it was done last time. It was done as a regular session of Council, not as a post, so that it is just part of the way of doing business.

Perhaps I can get some guidance from Mike as to how I can do that because I think that the workers' comp is bringing all businesses to its knees. We're seeing people going out of work. Between health costs and workers' comp, we are really in very great trouble in this country and this goes to the heart of our budget.

The Chair:

How about if we do this. We're going to schedule ultimately a public hearing on this issue. Why don't we schedule one about a month from now, sometime in mid-November, and by that time we can also have a briefing or an interaction-type meeting with the consultants that proposed or completed the Study, and also various appropriate representatives of the Administration.

In other words, during the interim stage between now and a public hearing, we will have an interaction session dealing with the Study. Ultimately, a public hearing is going to need to be held on this issue, so we may as well move forward with it.

Mr. Ricciardi:

Discussion. I think it's important for the public to realize that no final actions or recommendations have been made by the Administration concerning the Study itself.

Before we have this public hearing I would like to respectfully ask my colleagues to try to do the best to educate our residents in our districts before we have a public hearing. This way we could have, hopefully, productive conversation.

What I have done is distributed the Study at all of our libraries in our district and our senior centers and advertised in The South Pittsburgh Reporter that the Study is available. I'm also working with our community leaders and community organizations to set up a study panel where we could go through it.

I guess what I'm saying is, I will support a public hearing but not just to come down and speak off the cuff. I think it's very important that we speak on the substance of the Study and, to the credit of the Administration so far, they haven't made any recommendations on the Study.

So, I guess what I'm saying is, productive conversation I'll support. But just to come down and speak off the cuff, I'm not sure how productive that will be.

So, you're saying to schedule the public hearing in November?

The Chair:

Sometime in mid-November, maybe even immediately after the Mayor proposes her budget. That may be the precise time here because by then we will know the Administration's thinking in total on the issue. And I would prefer that happen rather than us schedule a hearing beforehand and then have something proposed as part of the budget.

Mr. Ricciardi:

Mr. President, I will support that timetable.

The Chair:

Plus, it's a voluminous study and it truly takes time to read it, understand it and digest it. And we do need an interaction meeting with the

people that did the Study and the appropriate representatives of the Administration.

Michelle Madoff:

When would that process be? A Wednesday hearing, budget hearing?

The Chair:

That would take place between now and -

Michelle Madoff:

In what format? As a post agenda? As an open meeting? Cablevised? Will it be part of our Wednesday process? Are we going to introduce some resolution that says we will discuss --

The Chair:

Probably a post agenda-type session.

Michelle Madoff:

Will it be cablevised?

The Chair:

We would have to have a special meeting if we did that.

Michelle Madoff:

That becomes the problem and then it becomes a public hearing.

I'm suggesting that the mechanism, and Mike can probably brief us, is how we did the workers' comp one last time. It should be part of whatever we're doing, to brief us on what the impact is, the workers' comp impact, why they're going to do, what they're going to do. It should all be part of the same package and it should come

up at a Wednesday meeting. And we can make it the last item on a Wednesday meeting as part of the process. A Wednesday meeting is an informational meeting and that's what it basically was designed for, information. To ask questions on legislation.

The Chair:

We will arrange some type of meeting. I can't say right now what the format of that meeting will be.

Michelle Madoff:

I will be happy to introduce some form of legislation that would put it on a Wednesday agenda so that it would be discussed.

Mike, will you tell me how to go about doing it?

The Chair:

I can assure you that we'll have a public hearing. It will not be an evening public hearing. We will schedule the public hearing for the afternoon, probably beginning at 2:00 and I am certain it will run into the evening so that if anyone is working during the day, they can still testify at the hearing.

Mr. Ferlo:

Mr. President, if you play back the tape of my motion originally it was that what you just outlined. I didn't say hold a hearing next week. I said hold a hearing in at least a month from now.

And, if you remember, my motion was that we hold a hearing not only to review the recommendations of what the City just spent \$178,000 buying, I also stated very clearly to review any recommendations or a report from the Administration responding to that study.

Obviously, that would take a few weeks. That was my motion.

But, I believe, quite frankly, however, in deference to Mr. Ricciardi's comments, as far as I'm concerned, this Administration will be hell bent on closing stations and reducing the work force if people are not vocal and are not involved in reviewing this study and making their voices heard. I believe that. The impetus for this study was a point blank directive from the Administration to the consultant, which they hired and was under their control with no public participation. That directive was, we want a cost savings of \$3 million and we want a reduction of the work force. That was the point blank directive. Period.

The Chair:

Mr. Ferlo, I disagree with you. That's false.

Mr. Ferlo:

I know you disagree with me. And it's not false; that is, in fact, the case.

The Chair:

You're absolutely false, and Mr. King was on the committee. That group did a very professional study. If there's aspects of that study that you don't like and the public doesn't like, so be it. And this Council will hear their opinions.

The fact of the matter is that the Study has recommended some very positive items of which the firefighters themselves overwhelmingly support, such as going from 3 to 4 firefighters per vehicles.

Mr. Ferlo:

I did not say that there were not salient

points that were raised in the Study. That's not what I said. In fact, there are some things -- In fact, some of the management suggestions raised in the Study I didn't need to spend \$178,000 doing. That's something that should have been happening over the last several years by a competent Administration and management of the Fire Bureau. But we didn't need the Study, though; that's something that should have been done a long time ago.

The Chair:

I think a study was long overdue and an organizational analysis of every City department should be done, just as it's being done in the City Clerk's Office and as was just done with the Fire Study. This government is outdated in many of its modes of operation and its about time its brought up to modern day management format and how it functions.

Mr. Ferlo:

I don't question that. We also pay a lot of money in Administrative expenses, both the directors, consultants, sub-directors, assistant directors, assistant-this, assistant-that, to manage effectively the resources that we give these various departments, and in some cases I'm not always sure that's happened.

The Chair:

And if you read the Study, you will see that there are things in that study that make a whole lot of sense, and I'm not talking about closing the fire stations.

Mr. Ferlo:

I'm glad you clarified that.

Mr. Ricciardi:

I agree with Mr. Ferlo that it's our responsibility and we should keep the public updated and, hopefully, I'm trying to do that in my district. For example, in the Study I'm also concerned that the Arlington Fire Station has such a large amount of First Responder calls. And I believe one recommendation by this City Council should be more training of our firefighters in EMT.

So, I agree with Mr. Ferlo that there is much more that has to be looked at in the Study but I would just support the motion itself after the recommendations of the Mayor's Office.

The Chair:

So, there's a motion on the floor for a public hearing. All in favor? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

Subject to having a preliminary interaction.

The Chair:

And interaction during the interim.

Michelle Madoff:

Right.

Mr. Regan:

Mr. President, I'd like to congratulate the Pittsburgh Pirates on a job well done. They certainly made our City look good all over the United States. They've played some pretty tough games, they've done it with class.

Our manager, Mr. Leyland, has made some great moves. Anybody that knows baseball knows that he's got a little luck going with him but you make your luck by working hard and he's done a great job.

I also want to commend you for entertaining the people from the Goodwill Games from Atlanta which we are trying to have here in the City of Pittsburgh and it was nice to see you at the Steeler game last night with those two gentlemen from the Goodwill Games.

I'd also like to say that we have a rally at 12:30 on the City-County Building steps, and a public hearing at 2:00.

Mr. Ricciardi:

On two unrelated issues. Just quickly, Mr. President, cost recovery program. Throughout the year this City Council has asked the Administration if we have a program in effect. A few weeks ago the Director of Parks and Recreation said that we do. We have consistently asked for that program and have not yet received it.

I'd like to make a motion again, or just ask Mike Perry if he could contact the Mayor's Office and let us know what the cost recovery program is in effect. I hope it's fair and consistent across the board.

Also, we're coming to budget time and I think we've requested many different aspects or a request from the Administration and we've yet to receive them.

On Code Account 1825 we've asked for the names of our summer employees and proof of residency. We have information, Michael Coyne and I, that we believe some temporary employees were not City residents.

I will be voting not to, in any way, continue to fund Code Account 1825 until we know what has happened in the past. And I think during budget time we have to make ourselves very firm on this.

The Chair:

Please, again send letters on both of those issues and ask for immediate responses.

Michelle Madoff moved to approve the Minutes of Tuesday, October 8, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse Mr. Cohen for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair:

I need a motion to adjourn this meeting and meet again on Thursday, October 24, 1991 at 10:00 a.m. rather than on Tuesday at 10:00 a.m. because a film will be filmed within these Council Chambers next week.

Mr. Ferlo:

So moved.

Mr. Regan seconded the motion.

And on the motion of **Mr. Ferlo**

Council adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Thursday, October 24, 1991

PRESENT:

MR. COHEN	MICHELLE MADOFF
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT:

MR. MILLIONES

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen presents

No. 3305 WHEREAS, the 1991 Carnegie International, one of only three major international survey exhibitions of contemporary art in the world and the only one in the United States, opens at the Carnegie Museum of Art on October 19, 1991 and remains on view through February 16, 1992; and

WHEREAS, the 1991 Carnegie International is the 51st such showing since it began in 1896, one year after Pittsburgh industrialist and philanthropist Andrew Carnegie founded the Carnegie Institute, to fulfill the goal of collecting "the Old Masters of tomorrow" at America's earliest museum of modern art; and

WHEREAS, the 1991 International will feature about 40 international artists, many of whom will be premiering in an American museum and whose works span such media as painting, sculpture, photography, film and video, and site-specific installations; and

WHEREAS, the Carnegie International is the only international exhibition of this scale and caliber to take place in a museum with a permanent collection of works of art and in 1991 will expand to collaborate with the Carnegie Institute's diverse member organizations and other locations around Pittsburgh, such as The Matress Factory, a center of innovative arts on the North Side, and at Duquesne University.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the Carnegie Museum of Art and the other member organizations of the Carnegie Institute, including the Museum of Art and the other member organizations of the Carnegie Institute, including the Museum of Natural History, the Library, the Science Center, and the Music Hall, whose uncommon association of disciplines grew out of Andrew Carnegie's vision of a grand cultural and educational complex; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends the 1991 Carnegie International and its featured artists from as far away as Tokyo and Moscow for continuing to showcase the finest artistic talents in the world and for placing the City of Pittsburgh in the eye of the world as a major center for contemporary art.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much. We really are honored and flattered to have the Carnegie International here in Pittsburgh. It is a great exhibition and I would encourage everybody to go and see it. They have docents who take people around and explain the works of art to the people who attend. And it also adds to Pittsburgh's significance as really a contributor to the world of art and culture.

I'm very pleased that we have with us today Mr. Milton Fein who is, among other things, on the Board of Trustees at the Carnegie, very much involved in the Carnegie

International, and is also Chairman and CEO of Interstate Hotels.

Mr. Fein, thank you for being here and please say a few words.

Mr. Fein:

Thank you, Councilman Cohen. Members of City Council and guests, on behalf of the trustees of the Carnegie Institute, I would like to thank City Council and the City of Pittsburgh for your recognition of the Carnegie International.

This year's International is truly a part of Pittsburgh. And, unlike previous exhibitions, this year's show has literally burst through the walls of the Carnegie Museum of Art and has become intertwined with the pulse of the entire City.

Over the next several months, thousands of people are going to come to Pittsburgh to see this exhibition. Many of these people will be from this region, but many people will be from countries throughout the world. In the process of doing this, these visitors, particularly those from out of town, are going to have an opportunity to see a very dynamic and exciting exhibition of art produced by some of the most gifted and highly skilled artists in the world.

Visitors to Pittsburgh are also going to learn more about this City. Those of us who live in this region know what a wonderful City Pittsburgh is, and even people from out of town have read about Pittsburgh's livability and have read about its desirability as a place to do business.

But, through the International, visitors are going to learn about another dimension of Pittsburgh. They're going to learn that Pittsburgh is a City with a soul. It's a City that nurtures the

arts and is open and receptive to the ideas, the feelings, the concerns and the aspirations that are expressed in the art which is on view at the Carnegie and other sites in the City.

These visitors are going to learn that Pittsburgh is very much in the mainstream of modern culture. And it's not just a City where business thrives, but it's a City where people thrive. The public-private partnership which supports and guides and nurtures the Carnegie has made the International an integral part of Pittsburgh over the last century.

We're looking forward to its continuation over the next century and we're looking forward to the continuation of the partnership that has made all of this possible.

Thank you very much.

The Chair:

Thank you, Mr. Fein.

Mr. Darkins presents

No. 3306 WHEREAS, Wesley Center A.M.E. Zion Church of Pittsburgh, Pennsylvania will host the 145th Annual Session of Allegheny Conference of the African Methodist Episcopal Zion Church in the City of Pittsburgh from October 22-27, 1991; and

WHEREAS, the states of North Carolina, Pennsylvania, Alabama and Georgia will be represented at the Conference; and

WHEREAS, Bishop Cecil Bishop, presiding Prelate of the 8th Episcopal District A.M.E. Zion Church will inspire attendees to continue striving for excellence in their lives; and

WHEREAS, attendees will receive guidance through workshops, speakers,

fellowship with one another and many other educational sessions; and

WHEREAS, the African Methodist Episcopal Zion Church was founded in 1796 in New York City; and

WHEREAS, the Allegheny Conference was organized in 1849, being one of the first conferences founded in the denomination.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh and its residents welcome the Allegheny Conference 145th Annual Session to the City of Pittsburgh and extends to them well wishes for a productive and insightful conference.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 3307 WHEREAS, the 1991 Mid-Year Conference of the Pennsylvania State Association of the Improved Benevolent and Protective Order of Elks of the World will be held at the Greentree Marriott in Pittsburgh, Pennsylvania from October 25-27; and

WHEREAS, the Mid-Year Conference host is the North Side Lodge #124, I.B.P.O.E. of the World, Pittsburgh, Pennsylvania; and

WHEREAS, the first lodge of the I.B.P.O.E. of the World was founded by Brother B.F. Howard in the year 1898 in Cincinnati, Ohio; and

WHEREAS, the Grand Exalted Ruler Dr. Donald Paul Wilson of Philadelphia,

Pennsylvania will be a most honored guest at the Mid-Year Conference.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the Improved Benevolent and Protective Order of Elks of the World on their 93rd year of service; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims October 25, 26 and 27, 1991 as Improved Benevolent and Protective Order of Elks of the World Days in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 3308 WHEREAS, the Auxiliary to the Pennsylvania State Association I.B.P.O.E. of the World was organized in the month of June, 1924 in Harrisburg, PA; and

WHEREAS, the Auxiliary was organized by Grand Daughter Ruler Abbie M. Johnson; and

WHEREAS, the purpose of the Auxiliary is to "promote the welfare and happiness of the temples and the daughters of Pennsylvania"; and

WHEREAS, the other purposes of the Auxiliary is "to have a more closer and harmonious relationship between the temples and daughters of the cities of the State and to practice charity toward all mankind and our daughters in particular"; and

WHEREAS, the Achievement and Excellent Banquet was instituted in 1987 to

encourage Pennsylvania Daughters to cooperate with other organizations for the promotion of the welfare, comfort, protection and progress of humanity and to give real meaning to the principles of the organization which are Charity, Justice, Sister Love and Fidelity; and

WHEREAS, this year's Achievement and Excellence Banquet will be held on Saturday, October 26, 1991 at 7:30 p.m. at the Greentree Marriott.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the Auxiliary to the Pennsylvania State Association I.B.P.O.E. of the World.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Regan:

I'd like to have two of the famous Zambelli family come up here.

This normally isn't in order but we have some guests today from Westminster College, a great school, who are with their professor, Mr. Lilly. Come on up here. I'm trying to talk these young people into moving into the City of Pittsburgh. We're honoring the Zambelli's and these people are only a few miles away so come on up here and stand behind them.

We want our people to see these young people. I had a nice talk with them in my office to try to get them to move into the City of Pittsburgh, telling them about some of our great programs we have.

The reason I'm honoring the Zambelli's

this morning is because I say that they are true Pittsburgh ambassadors. The reputation that they give the City of Pittsburgh all over the world is really a big help to our City. They just had a big fireworks in the City recently and they ended up paying the cost recovery themselves and I think that that's really commendable. They're really first class people.

Mr. Regan presents

No. 3309 WHEREAS, Zambelli Internationale Fireworks Manufacturing Company Incorporated was founded in Italy at the turn of the century by Anthony Zambelli who eventually left Caserta, Italy to settle in New Castle, Pennsylvania; and

WHEREAS, George Zambelli received his degree in accounting from Pittsburgh's Duquesne University, and then went on to become the President and General Manager of Zambelli Internationale, following in his father's footsteps; and

WHEREAS, Mr. Zambelli, who considers Pittsburgh his home away from home, is completely overjoyed when he is given the opportunity to do yearly productions for Pittsburgh and the surrounding areas; and

WHEREAS, Mr. Zambelli's wife, Connie, takes on responsibilities as the roving ambassador for Zambelli Internationale, and assists with conventions, set-up, and operations of booths; and

WHEREAS, in addition to the thousands of Fourth of July celebrations each year, Zambelli Internationale displays fireworks at State Fairs, Civic Festivals, Sports Events, Presidential Inaugurations, Victory Celebrations and Patriotic Displays; and

WHEREAS, the corporate offices are

located in Boca Raton, Florida and Shafter, California; and

WHEREAS, George Zambelli has lived a life full of hard work, long hours, and determination to achieve his goal of being the most renown fireworks company in the world.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim October 24, 1991 as "Zambelli Internationale Day" in the City of Pittsburgh to recognize George Zambelli as an Ambassador at Large for the City of Pittsburgh and commends him and his entire family and staff for their powerful displays of truly magnificent fireworks. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

Behind them is Professor Lilly from Westminster and some future Pittsburgh residents.

I'd like to say the five Zambelli children couldn't be here with us today and they felt bad because someone has to do the work. George is an eye surgeon. He has a little bit less money than you, Councilwoman. Donna Lou is a dentist. Marcy, Anna Lynn and Dana Beth, all three of those people work for the fireworks division so they are there right now.

Mr. Zambelli, I want you to know, como esta, that we're honored to have you here. To your wife, tu se bella. And I'd like you now to say a few words.

Mr. Zambelli:

Thank you very much, Councilman Regan, President, fellow Councilpeople and, of course, Amy, you did a good job on that resolution. Professor Lilly who, by the way, is my daughter's patient as his dentist, and, of course, fellow Westminsterites -- Did I say that right?

Professor Lilly:

Westminsterians.

Mr. Zambelli:

At Harvard they would say, "Be that as it may."

Michelle Madoff:

You can tell a Harvard man but you can't tell him much.

Mr. Zambelli:

Love ya. Well said. That's Michelle in all ways.

Again, we're grateful and we accept this very humbly. We tell everybody we're from Pittsburgh because not too many know where New Castle is. And, of course, my education has been here and we're aiming to do bigger and better things.

This morning we received a fax where Abu Dhabi is going to celebrate their seventh year anniversary for the United Arab Emirates and we're looking to put on a great performance there. That will total nearly a million dollars for what's involved.

So, we're doing bigger and better things and we're thankful again and, well, we have to see

what we need to do to get Pittsburgh to use more fireworks. It's too bad about the World Series; we had many items planned there. But, there will be a next time.

Once again, thanks to all of you.

Mr. Regan:

Thank you, Mr. Zambelli. And I'm not going to let Mrs. Zambelli go by without saying a few words.

Mr. Ferlo:

Baldy, you have to make a comment about Mr. Zambelli's tie. That's the greatest tie I have every seen.

Mr. Regan:

That is a nice tie.

Mr. Ferlo:

It's a classic.

Michelle Madoff:

It looks like fireworks.

Mr. Ferlo:

It is fireworks.

Mrs. Zambelli:

It's a pleasure being here. Thank you all for the hospitality that you have extended to us. Thank you.

Mr. Regan:

Thank you very much, and good luck. We hope you come back and see us with a little

fireworks.

Mr. Darkins:

Mr. Zambelli, we would just like to say that you are my comp and, not only that, this could only happen in America.

Mr. Regan:

That's right. Thank you very much. Good luck. Have a safe trip back to New Castle. Move to Pittsburgh.

The Chair:

We're honored to have you.

Michelle Madoff:

May I please have Officer Zeglowitsch and his dog, Rocky, please join us.

This is a very important resolution. This is a resolution to Officer Zeglowitsch and his canine dog, Rocky.

Michelle Madoff presents

No. 3310 WHEREAS, Grandview Avenue provides the most spectacular view of any city in this country and has attracted visitors from around the world; and

WHEREAS, in the Spring of 1991, Grandview Avenue became frequented by groups of loitering youths subjecting the community, its guests and tourists to nuisances such as loud blaring music, public alcohol consumption, fighting, harrassment and other crimes; and

WHEREAS, several concerned members of the Mount Washington Community Development Corporation (MWCDC) met with

Commander Louis Scenna of the Zone 4 Police Department to discuss a solution to this problem; and

WHEREAS, Commander Scenna, in his efforts to assist the community, assigned Officer William Zeglowitsch to patrol and monitor Grandview Avenue in an attempt to restore peace in the neighborhood; and

WHEREAS, Officer Zeglowitsch, through his dedication and duty as a City of Pittsburgh Police Officer, issued over 87 citations, including several citations concerning unnecessary noise, ridding the community of these nuisances, making Grandview Avenue a more tranquil, park-like tourist attraction that is now enjoyed to its fullest potential by the community, the City and visitors world-wide; and

WHEREAS, officer Zeglowitsch was recognized and honored by the Mount Washington community on October 17, 1991 at the monthly meeting of the MWCDC, receiving the first ever "Top of the Mount Award" for his diligent efforts.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Officer William Zeglowitsch for his dedication and service to the community for a job well done.

Michelle Madoff moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

We have a special present for Rocky.

Mr. Ferlo:

Can we hear from Rocky too?

Michelle Madoff:

We really appreciate what you've done. And I might add that I was a little concerned about bringing Rocky to Council because they'll think that Council is going to the dogs.

Mr. Cohen:

You're barking up the wrong tree, Michelle.

Michelle Madoff:

But Zeggy said that he doesn't like to be separated from his partner.

Mr. Ferlo:

Michelle, we already set a precedent with birds.

Officer Zeglowitsch:

Mr. President and distinguished Members of Council, distinguished guests and family, and Commander. I'm kind of at a loss for words. This is really an honor for me and for Rocky and I speak for him, obviously.

After the Grandview Association's award the other night and this, I'm just overwhelmed and at a loss for words.

But I thank all of you, everybody that has been involved, and the Association at Grandview and all the support.

I'll live up to the motto we have on the police cars, "At Your Service". Thanks.

Mr. Ricciardi:

Mr. President, I would just like to say that I was able to attend the honor for the officer from the community-based organization and it was well attended. Over 100 residents and they were all there to thank the officer for his fine work. And I think that he's really to be commended for that, above and beyond duty. Thank you.

The Chair:

Thank you, Officer.

Mr. Ferlo:

And Rocky.

The Chair:

Thank you. This Council has been pushing for more canine use in the City of Pittsburgh and that's a great example of how effective they are.

Michelle Madoff:

And Bill picked up the dog bone.

Mr. Ricciardi presents

No. 3311 WHEREAS, the Right Monsignor Ernest L. Dunda was ordained at the Summer Villa of Collegio Rueno in Castalgandolfo in Rome on October 18, 1931; and

WHEREAS, the Right Monsignor Ernest L. Dunda was appointed as the Spiritual Director and Professor of Religion at the Eparchial Preparatory School for Teachers and Seminarians in the Catholic Church of the Byzantine Rite in 1938; and

WHEREAS, the Right Monsignor Ernest

L. Dunda was a member of the faculty of the Eparchial Seminary in Czechoslovakia where he taught Catechetics, Methodology of Education, Psychology and Church Administration; and

WHEREAS, the Right Monsignor Ernest L. Dunda has served various parishes for over 60 years, and retired in 1982 after 27 years as the Pastor of St. John the Baptist Byzantine Catholic Church in the South Side.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the Right Monsignor Ernest L. Dunda for his years of service to Pittsburghers and extends a wish for health and happiness for the future.

Mr. Ricciardi moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ricciardi presents

No. 3312 WHEREAS, on Saturday, October 19, 1991, Al Russo is celebrating his 40th birthday with family and friends; and

WHEREAS, Al Russo is a graduate of the University of Pittsburgh and received a 1971 Senatorial Scholarship for higher learning. Mr. Russo has displayed educational excellence throughout his career. As a graduate of Peabody High School, Al was awarded the Daughters of America Revolution Award for Excellence in United States History. Mr. Russo continued his educational excellence by earning a 3.8 to 4.0 Q.P.A. throughout his high school years; and

WHEREAS, Al Russo has worked numerous jobs throughout his work history, constantly displaying a hard work ethic while continuously striving towards more responsible

and rewarding positions. Al Russo began his career delivering neighborhood newspapers, ushering at the Regent in East Liberty, janitorial work, delivering mail through rain or sunshine and working as an electrician's aide; and

WHEREAS, Al Russo began his minute clerk career in 1974 in the Criminal Division of our court system. He has worked for such distinguished judges as Judge Clark from 1978 to 1986 and most recently with The Honorable Gerard M. Bigley, Judge of the Common Pleas Court. In all, Al Russo is to be commended for his 17 years of faithful service in our court system; and

WHEREAS, Mr. and Mrs. Al Russo are the proud parents of five children: Jarrod, 17 years old; Angela, 12 years old; Louis, 5 years old; Thomas, 4 years old, and Joshua, 19 months old; and

WHEREAS, Al Russo is involved in numerous community, civic and athletic organizations. He is a member of the Elks, Italian Heritage Society, and softball teams, where he served as co-captain and was instrumental in winning a runner-up championship trophy in 1985.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Al Russo on his fortieth birthday and extends a wish for health and happiness for the future; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Saturday, October 19, 1991 as "Al Russo Day" in the City of Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair:

I'd like to welcome the University of Pittsburgh students here today. They have been with us for the last several weeks following our Council Meetings.

Mr. Coyne presented

No. 3249 Resolution authorizing the Director of Finance to issue and the City Controller to countersign a warrant in favor of vested employees for the payment of unused sick time.

—(SPONSORED BY MR. COYNE)

Also,

No. 3250 Resolution providing for the transfer of funds totalling \$115,000.00 from Code Account 1148, Automotive Parts, \$90,000.00 and Code Account 1150, Outside Repairs - Contract, \$25,000.00 to Code Account 1144, Fuel. All Code Accounts are within the Bureau of Fleet Management, Department of General Services. This transfer is necessary to provide fuel for Citywide vehicles for the remainder of the year.

Which were read and referred to the Committee on Finance.

Mr. Darkins presented

No. 3251 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the application of cold laid latex modified emulsion, at a cost not to exceed \$119,551.37, chargeable to and payable from Code Account 3-01-01-0001-91, Citywide Resurfacing Program.

Also,

No. 3252 Resolution Repealing Resolution No. 305, effective April 10, 1991 entitled "Providing for a Contract or Contracts, or the use of existing Contracts for the renovation or construction of walls and related facilities of City property at various locations throughout the City, at a cost not to exceed \$91,460.00, chargeable to and payable from Code Account 3-01-01-0018-91, Emergency Wall Reconstruction Program.

Also,

No. 3253 Resolution adopting Official Sewage Facilities Plan for Fairfax Estates.

Also,

No. 3254 Resolution adopting Official Sewage Facilities Plan for South Side Lofts.

Also,

No. 3255 Resolution adopting Official Sewage Facilities Plan for the Giant Eagle Supermarket on Murray Avenue, 14th Ward, City of Pittsburgh.

Also,

No. 3256 Resolution amending Resolution No. 1215 of 1982, effective December 3, 1982, entitled, "Establishing Asphalt Reimbursement Trust Fund", by including as allowable expenses salaries, premium pay, and employee benefits and all expenses related to the Asphalt Plant.

Also,

No. 3257 Resolution amending Resolution No. 187 of 1983, effective March 24, 1983, as previously amended by Resolution No. 194 of 1989, effective March 30, 1989 entitled, "Establishing an Animal Control and Animal

Welfare Trust Fund", by including as allowable expenses salaries, premium pay, and benefits for employees in the Animal Control Division.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 3258 Resolution providing for the issuance of a warrant in favor of the Burton Signs & Specialties, Inc., in the amount of \$14,469.72 for flags and banners used in the Desert Storm Welcome Home Parade on June 15, 1991, chargeable to and payable from Code Account 1612, Materials.

Which was read and referred to the Committee on Finance.

Also,

No. 3259 Resolution granting unto Puddles' of 1600 Smallman Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a six foot wide cement ramp joining their building on the Smallman Street side of their building in the 2nd Ward, 8th District of the City of Pittsburgh. The request is made by Puddles' of Smallman Street to better enhance the entrance to their building.

Also,

No. 3260 Resolution granting unto Edward N. Stoner, II, 226 Outlook Drive, his successors and assigns, the privilege and license to construct, maintain and use at this own cost and expense, a garage encroachment on a portion of the right-of-way of Arlington Avenue in the 18th Ward, 1st District of the City of Pittsburgh.

Also,

No. 3261 Resolution granting unto Raff Printing, 82 Allen Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a fire escape over a portion of the sidewalk of Industry Street in the 18th Ward, 3rd District of the City of Pittsburgh. This request is made by Raff Printing Company that due to the remodeling of their building, Industry Street is the only area possible.

Also,

No. 3262 Resolution granting unto Joseph and Carina Traficante, 1600 Trinity Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sideyard on a portion of the right-of-way of Amsterdam Avenue in the 10th Ward, 7th District of the City of Pittsburgh. This request is made by Mr. and Mrs. Traficante to maintain this section of right-of-way because they would like to utilize the right-of-way for side yard purposes.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 3263 Resolution authorizing the URA of Pgh. to return and reapply for funds in an amount not to exceed \$400,000.00 to the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program. (RE: Neighborhood Housing Program Application for DCA Funding). (Council Districts: All).

Also,

No. 3264 Resolution authorizing the URA of Pgh. to return and reapply for funds in an amount not to exceed \$2.5 million to the Pennsylvania Department of Community Affairs for the North Shore Redevelopment Project.

(RE: North Shore Redevelopment Project Application for DCA Funding). (Council Districts: 1 & 6).

Also,

No. 3265 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$365,400.00 to the Commonwealth of Pennsylvania Department of Community Affairs to acquire additional properties in and abutting the Crawford-Roberts Redevelopment Project. (RE: Crawford-Roberts Acquisition Fund Application for DCA Funding). (Council District #6)

Also,

No. 3266 Resolution providing for the Crawford-Roberts Acquisition Fund Cooperation Agreement with the URA of Pittsburgh. (RE: Crawford-Roberts Acquisition Fund Cooperation Agreement). (Council District #6)

Also,

No. 3267 Resolution authorizing the URA of Pgh. to enter into an Agreement or Agreements with Landmarks Financial Corporation providing for the purchase by Landmarks Financial Corporation of URA's Urban Development Action Grant Loan to Pasquale Navarro for the sum of \$1,200,000.00. (RE: Station Square UDAG Loan). (Council District #3)

Also,

No. 3268 Resolution authorizing the URA of Pgh. to use funds paid by Landmarks Financial Corporation to purchase URA's Loan to Pasquale Navarro for administrative expenses incurred in 1992 and 1993. The City annually

transfers the sum of \$490,000 to the Authority to defray part of the expenses involved in the Authority's administration of City programs. (RE: Reuse of Station Square UDAG Repayments).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 3269 Resolution providing for the transfer of funds totalling \$87,500.00 from Code Account 1922, Misc. Services, Dept. of Water, as follows: transfer of \$21,500.00 to Code Account 1132-5 (113258), Radio Improvements, Dept. of General Services; and the transfer of \$66,000.00 to Code Account 1132-2 (1132-25), Telephone Expense, Dept. of General Services. This transfer will cover lease payments for the 800 mhz radio system, and telephone service and equipment expenses.

Which was read and referred to the Committee on Finance.

Also,

No. 3270 Resolution authorizing an Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection of delinquent water charges, fines, penalties and interest for the City of Pittsburgh, as agent for the Pittsburgh Water and Sewer Authority, at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account 1922, Dept. of Water.

Which was read and referred to the Committee on Water.

Mr. Regan for Mr. Milliones presented

No. 3271 Resolution transferring the

sum of \$80,000.00 from Code Account 47, Personal Leave Buy Back to Code Account 44-1, Unemployment Compensation Fund, Dept. of Finance.

Also,

No. 3272 Resolution of the City Council of the City of Pittsburgh (the "City") determining to incur lease rental debt in a maximum aggregate principal amount not to exceed \$23,000,000.00 by entering into a Supporting Agreement (the "Supporting Agreement") with the Public Auditorium Authority of Pittsburgh and Allegheny County (the "Authority") and the County of Allegheny; determining that such lease rental debt shall be evidenced by the Supporting Agreement by which the City agrees to pay one-half of the debt service on the Public Auditorium Authority of Pgh. and Allegheny County Auditorium Bonds, to be issued by the Authority in a maximum principal amount not to exceed \$16,500,000 of 1991 Series A Bonds and in a maximum principal amount not to exceed \$6,500,000 of 1991 Series B Bonds; authorizing and directing the proper officers of the City (A) to prepare, to certify and to file the debt statement required by Section 410 of the Pennsylvania Local Government Unit Debt Act; and (B) to execute, to attest and to deliver, as appropriate, the Supporting Agreement between the City and said Authority; approving the form of said Supporting Agreement; specifying the maximum amounts of the supporting obligation of the City pursuant to said Supporting Agreement and the sources of payment of such supporting obligation and pledging the full faith, credit and taxing power of the City in support thereof, providing for proper officers of the City to take all other required, necessary or desirable related action in providing for the effectiveness of this resolution; providing for the severability of provisions of this resolution; and providing for repeal of all inconsistent resolutions or parts of resolutions.

Also,

No. 3273 Resolution amending and supplementing Resolution No. 1413 of 1990, effective January 1, 1991, as previously amended by Resolution No. 408 of 1991, effective May 10, 1991, entitled "Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1991," by including certain trust funds and trust fund detail.

Also,

No. 3274 Resolution amending and supplementing Resolution No. 1414 of 1990, effective January 1, 1991, as previously amended by Resolution No. 407 of 1991, effective May 10, 1991, entitled "Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting the minimum levels for designated positions," by making certain additions to include certain positions in Trust Funds.

Which were severally read and referred to the Committee on Finance.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Thursday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Darkins:

I'm opposed to this. I think that we should have more time to study this. I don't think it should come up this afternoon.

Mr. Regan:

Do you want to make a motion for that?

Mr. Darkins:

There's a motion on the floor.

The Chair:

The motion has already passed. If all of you want to reconsider, that's fine. But just let me make this comment. If any of these bills this afternoon we feel there's not sufficient information, we can simply hold for one week.

Mr. Darkins:

Okay.

Also,

No. 3275 Resolution providing for the issuance of a \$4,096.88 warrant in favor of Daniel E. Bonner, c/o Daniel F. Cusick, Esquire, Mansmann & McArdle, 220 Grant Street, Pittsburgh, Pennsylvania, 15219, in full and final settlement of an accident between a City vehicle and the plaintiff on October 14, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 3276 Resolution transferring the sum of \$15,000.00 from Code Account 30 Refunds and Interest all other Taxes, to Code Account 43-1 Refunds - Fines, etc., Dept. of Finance. The transfer is necessary because of the increasing number of citizens who are appealing and winning their appeals from traffic citations issued by the City in Common Pleas Court.

Also,

No. 3277 Resolution providing for

conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 3278 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 3279 Resolution Repealing Resolution No. 606, Item J, effective July 29, 1988 which authorized the sale of a vacant lot, 75' x 160.17', Block 32 E, Lot pt. 293 and a vacant lot, 17.07' x 161' x 50.1' ft., Block 32 E, Lot 295, located at St. Lucas Street, A/K/A/ Horn Street, Mt. Oliver Borough, to Thomas J. Friend and Dolores J. Friend, his wife, for the sum of \$1,000.00. The reason for the above repealing resolution is that it was discovered through the title search that the city does not have a marketable title to the property as originally submitted.

Also,

No. 3280 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 263, "Real Property Tax", Section 263.02, "Payment Options; Discount and Delinquency Penalty", by amending the payment dates and the discount period for the Real Property Tax.

Also,

No. 3281 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 261, "Personal

Property Tax", Section 261.07, "Tax Payment and Collection", subsection (a), by changing the due dates for remittance of the Personal Property Tax.

Also,

No. 3282 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article VII, "Business Related Taxes", Chapter 251, "Occupational Privilege Tax", Section 251.03, "Collection Through Employers", by eliminating the two percent (2%) collection fee for employers.

Also,

No. 3283 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article VII, "Business Related Taxes", Chapter 241, "Amusement Tax", Section 241.05, "Collection and Payment of Tax", subsections (a), (d) and (f), by eliminating the two percent (2%) discount for collection and revising the due date for remittance to the Treasurer.

Also,

No. 3284 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article VII, "Business Related Taxes", Chapter 249, "Mercantile License Fees and Tax", Section 249.02, "License Required; Fee, Issuance and Posting", by increasing the mercantile license fee.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 3285 Resolution authorizing the transfer of an aggregate amount of \$633,500.00 to Code Account 1461-1, Premium Pay Account, Bureau of Fire, Dept. of Public Safety from

various code accounts in various departments. This transfer is needed to continue the daily operating expenses for the Bureau of Fire for the remainder of 1991. This resolution shall be effective upon the signature of the Mayor.

Which was read and referred to the Committee on Finance.

Also,

No. 3286 An Ordinance amending and supplementing the Pittsburgh Code, Title One - Administrative, Article VII - General Provisions, Chapter 171 - Fees, by amending Section 171.02 (Ordinance Number 9, effective March 26, 1981) - Fees for Emergency Medical Services.

Also,

No. 3287 An Ordinance providing that the minimum standard of pre-hospital emergency care provided by the City of Pittsburgh, Department of Public Safety, Bureau of Emergency Medical Services shall be advanced life support, by amending and supplementing the Pittsburgh Code, Title One - Administrative, Article III - Organization, Chapter 116 - Public Safety, by adding Section 116.03 - Standard of Care.

Which were read and referred to the Committee on Public Safety.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Thursday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 3288 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts for the purchase of CAD Hardware items for the Communications Division, Bureau of Administration, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1405, Equipment.

Which was read and referred to the Committee on General Services.

Also,

No. 3289 Resolution authorizing the Mayor and the Director of Public Safety to enter into an Agreement or Agreements with the Public Parking Authority of the City of Pittsburgh to enforce City of Pittsburgh on-street parking ordinances and/or the residential permit parking program.

Also,

No. 3290 Resolution further amending Ordinance No. 217, approved April 27, 1951, as supplemented and as amended, entitled "An Ordinance authorizing and directing the Mayor and the Director of the Department of Public Safety, on behalf of the City of Pittsburgh, to enter into an Agreement with the Public Parking Authority of Pittsburgh to provide for the loan-assignment and payment by the City of Pittsburgh of the receipts from certain parking meters upon certain terms and conditions as to the use of such funds and the repayment thereof," by authorizing the Authority to recover the direct and indirect expenses associated with on-street meter enforcement.

Which were read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 3291 Resolution amending Resolution No. 932 of 1991, recorded October 8, 1991, entitled "Providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the code of Ordinances, those certain structures known as 901-911 Bingham Street, including all property designated as Block and Lot Number 3-G-246, located in the 17th Ward, City of Pittsburgh," by deleting the language which designated property beyond the two (2) nominated recommended historic structures.
—(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Thursday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 3292 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00 in payment for professional consulting services rendered to Gene Ricciardi for the month of October 1991, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District #3, City Council. **—(SPONSORED BY MR. RICCIARDI)**

Also,

No. 3293 Resolution transferring the

aggregate amount of \$267,324.06 from various code accounts to Code Account PZTF, Pittsburgh Zoo Trust Fund in the Department of Parks and Recreation. This resolution shall become effective upon the signature of the Mayor.

Which were read and referred to the Committee on Finance.

Also,

No. 3294 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Pittsburgh Zoo Trust Fund, for the purpose of depositing funds and expenditure of funds for any and all related expenses. This resolution shall become effective upon signature of the Mayor.

Also,

No. 3295 Resolution authorizing and directing the City Controller to expend funds for salaries, premium pay and employee benefits in addition to all other expenses related to the Pittsburgh Aviary from Code Account Aviary Trust Fund, ATF, Dept. of Parks and Recreation. This resolution shall become effective upon signature of the Mayor.

Also,

No. 3296 Resolution authorizing and directing the City Controller to expend funds for salaries, premium pay and employee benefits in addition to all other expenses related to the Department of Parks and Recreation's Skating Rink Program from Code Account Schenley Park Rink Trust Fund, SPRTF, Dept. of Parks and Recreation. This resolution shall become effective upon signature of the Mayor.

Also,

No. 3297 Resolution authorizing and directing the City Controller to expend funds for salaries, premium pay and employee benefits in addition to all other expenses related to the Department of Parks and Recreation's Swimming Pool Program from Code Account Swimming Pool Maintenance Trust Fund, SPMTF, Dept. of Parks and Recreation. This resolution shall become effective upon signature of the Mayor.

Also,

No. 3298 Resolution authorizing and directing the City Controller to expend funds for salaries, premium pay and employees benefits in addition to all other expenses related to the Phipps Conservatory from Code Account Phipps Conservatory Trust Fund, PCTF, Dept. of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 3299 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of August 31, 1991.

Also,

No. 3300 Communication from Mary K. Conturo, City Solicitor, submitting the Quarterly Report of the settlement of small claims not exceeding \$750.00 for the Third Quarter of 1991, payable from Code Account No. 1081, Petty Claims. Also, a Quarterly Report of the settlement of claims in excess of \$750.00 for the Third Quarter of 1991, payable from Code Account No. 46, Judgments.

Which were read, received and filed.

UNFINISHED BUSINESS

Mr. Ferlo:

Mr. President several months ago, both at a public hearing and a lot of debate in these Chambers, we dealt with a controversial issue regarding the Wholey's Company cold storage, specifically the problems associated with obstructing traffic on the street at 15th and Smallman.

I believe it has been at least several months now and to date the problem persists and there has been no indication that the company has made any moves to proceed with what we have allowed them to do, and that is make the necessary changes to the building to allow them to have loading dock capabilities as well as maintaining the integrity of the street. It is a problem that continues to persist and it's been several months.

I'd like a polite letter sent to the company as well as the Department of Public Works asking what the status is of the construction plans.

I know I was blocked again several times and I'm going to go out there again within the next couple of weeks if something doesn't happen.

The Chair:

With a time frame of implementation of the plan. Thank you.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3301

Report of the Committee on Finance for October

16, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3202

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Michael Romanello, 200 South Millvale Avenue, Pittsburgh, PA 15224, in the amount of \$800.00 in payment for professional consulting services rendered to Council Members Dan Cohen and Jim Ferlo."

—(SPONSORED BY MR. FERLO & MR. COHEN)

Which was read.

Mr. Cohen:

On Bill 3202, I'd like for this to become law effective upon the signature of the Mayor.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 3208

A Resolution entitled, "Resolution providing for the issuance of a \$762.00 warrant in favor of George W. and Arlene Lapp, Jr. in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3209

A Resolution entitled, "Resolution amending Resolution No. 830, Item I, effective August 22, 1991 which authorized the sale of property in the 32nd Ward, being two small vacant lots, located at 1728-1730 Parkfield Street, designated as Block 60 N, Lots 139 & 140 to Charles A. Clark and Mary C. Clark, his wife, for the sum of \$500.00."

Which was read.

Also,

Bill No. 3228

A Resolution entitled, "Resolution providing for the transfer of funds totalling \$20,000.00 (Twenty Thousand Dollars) to Miscellaneous Services, Code Account 1176, Index Code 117606 as follows: \$5,000.00 (Five Thousand Dollars) from Rental of Equipment, Code

Account 1174, Index Code 117408; \$15,000.00 (Fifteen Thousand Dollars) from Recycling Services, Code Account 1188, Index Code 118802, all accounts within the Department of Environmental Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes on Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3234

A Resolution entitled, "Resolution amending Resolution No. 634 of 1991 entitled 'Providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and

authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act projects; and providing for the deposit of funds into a bank account' by increasing the amount available for subcontractor agreements by \$585,735.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 7 NOES none

(MR. RICCIARDI ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3235

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 3302

Report of the Committee on Planning, Housing and Development for October 16, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3203

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of the following properties for \$1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 3204

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 8th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 26H Part of Lot 160, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 3205

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert T. & Gloria J. LeDonne for the sale of Block 26H Part of Lot 160 in the 8th Ward of the City of Pittsburgh (PARKING)."

Which was read.

Also,

Bill No. 3229

A Resolution entitled, "Resolution amending Resolution No. 540, effective June 5, 1991, entitled 'Resolution providing for an Agreement or Agreements with the Polish Hill Civic Association for the administrative/operating support in an amount not to exceed \$11,288.00,' so as to expand the scope of activities to be undertaken by the Agency."

Which was read.

Also,

Bill No. 3230

A Resolution entitled, "Resolution amending Resolution No. 724, approved August 29, 1988, entitled providing for implementation of Residential Parking Permit Program in portions of Squirrel Hill-CMU community pursuant to Pittsburgh Code, so as to amend the streets included in Area 'K'."

Which was read.

Mr. Cohen:

I would like my comments brought forward on Bill 3230 with respect to the permit parking expansion in Squirrel Hill.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 3230, WEDNESDAY, OCTOBER 16, 1991)

Mr. Cohen:

Director, I want to take a moment to congratulate the Planning Department on this whole process. I think a lot of people watching or listening in may not realize how extensive a process it is in order to expand permit parking -- we received this report from Wilber Smith Associates, which I thought was an excellent report -- the number of meetings that are necessary, and petitions and everything else. The impetus for this, of course, was the crunch that the people in the north Forbes area in Squirrel Hill are experiencing with the CMU students. This is really a band-aid measure in my view. We have a meeting set up with the Vice-President of CMU in Charge of Operations next week to look at longer term solutions to the problem. Hopefully, CMU will take some steps to resolve it long time by providing their own students with better parking.

I think the Planning Department did a very good job on this. I particularly want to congratulate Richard Meritzer who met several times with the neighbors, and I was included in a couple of those meetings. I think we should move forward with this as expeditiously as possible.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen:

I move that Bill 3230 become effective upon the signature of the Mayor.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ricciardi presented

Bill No. 3303

Report of the Committee on Parks and Recreation for October 16, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3231

A Resolution entitled, "Resolution providing for the rental of a charter bus for elderly City residents to investigate the Baltimore's Waxter Senior Citizen Center and the Office of Aging in Baltimore, Maryland, October 22-23, 1991, at a cost not to exceed Nine Hundred Twenty-Five Dollars (\$925.00), chargeable to and payable from Code Account 1001-1 (100115), Miscellaneous Services, Supplies and Equipment, City Council."

(PRIOR APPROVAL GRANTED)

—(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

Mr. President and Members of Council, as you are all probably very well aware, at my instigation and, thank God, with the support of this Council we raised a very small amount of money, I think it was \$2500, to send approximately 30 senior citizens, including Gene Ricciardi who is not a senior citizen but he went along as sort of a young chaperon.

The purpose of the trip, incidentally subsidized by Pittsburgh National Bank who paid for their overnight stay, was for the seniors to go down and review the leading Center For Aging.

As you know, last year at budget time senior citizens requested of us that we create a Commission For Aging under the auspices of the Administration. All they wanted was a desk, a telephone and a secretary. They are not looking for money. The Administration informs me that they're afraid that this will mushroom like topseed and the next year they'll have more people and more people and they're a little reticent.

It's going to fall upon this Council, the decision of the Members of this body, to make this a reality, and hope to convince the Administration that they too shall go along with this idea. Their feelings are, and you've heard it before, the same rhetoric, that the County provides the dollars for senior citizens. Well, we have a very large budget in Parks and Recreation and, as Gene Ricciardi and I have talked many times, and he has far more expertise in this area than I have because he has worked with seniors for a long time at the centers, monies can be shifted around. We're not talking about a large sum of money but we're talking about providing some of the basic services that are very important.

You know, we think of senior citizens —

Mr. Coyne:

Point of Order, Mr. President. Shouldn't this be in Motions and Resolutions rather than discussion on this bill itself?

The Chair:

Well, it relates to the purpose of the bill.

Michelle Madoff:

If it was a male it would be permitted; if it's female we're going to have the same courtesy.

The Chair:

It has nothing to do with gender. It has everything to do with the issue and, Councilwoman Madoff, you have the floor.

Michelle Madoff:

Thank you. There's no sense in sending people on a trip, Mr. Coyne and my colleagues, if we don't have a purpose in why they're going and

I think I'm expanding on the purpose and I think that is relevant to the issue.

We are going to have a report a week from Tuesday in this Council from the seniors. They're putting together a report. My office, Bill Urbanic, my administrative assistant, put together a questionnaire so that we would get specific answers to specific questions to see where we should be channeling or to see where the seniors want to channel their needs.

And I'm hoping that this year at budget when we get the report, this Council will turn the Commission For Aging into a reality. We will make it happen and hope that the Administration will join us in making it happen.

Mr. Ricciardi:

Very briefly on the bill, Mr. President. The trip was very successful, one for education and fact-finding. The advocate seniors that are elected by each center in the City of Pittsburgh have promised Pittsburgh City Council a report. They have chosen to meet in Councilman Duane Darkins' district on Monday to formulate that report. The reason for that is that they say he gives great hospitality to the senior advocates when they meet in his district, so they'll be meeting there and they will be forwarding the report within a week. Thank you.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 3304

Report of the Committee on Public Safety for October 16, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3211

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Emergency Medical Services Reimbursed Events Trust Fund (EMSRETF), for the deposit of monies from reimbursed special events, and authorizing the use of monies deposited therein by the Department of Public Safety, Bureau of Emergency Medical Services, to cover premium pay for Emergency Medical Services Personnel only."

Which was read.

Also,

Bill No. 3212

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Confiscated Non-Narcotic Proceeds Trust Fund, (CNNPTF), for the deposit of cash and proceeds derived from the confiscation of non-narcotic related items, and authorizing the use of the funds deposited therein by the Bureau of Police, Department of Public Safety for any and all expenses associated with investigations of non-narcotic violations."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 3313 Communication from Sophie

Masloff, Mayor, City of Pittsburgh, informing Council of the appointment of Joan Feldman, 35th Floor, One Oliver Plaza, Pittsburgh, PA 15222, to the Civil Service Commission for a term concurrent with the Mayor's term of office.

Which was read.

Michelle Madoff moved to receive and file.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen:

Mr. President, I want to take a moment to discuss a matter that is one of the most repulsive that I can remember in the City of Pittsburgh.

The story begins in early 1990 when Gwen Benjamin, a 29 year old African-American woman working as a secretary at Allegheny Middle School tried several times to make an appointment to see an apartment advertised by The National Apartment Leasing Company, NALCO. Several times she was told that an agent would contact her, but no one called.

Ms. Benjamin became suspicious and cleverly asked her co-worker, a white woman, to call and request to see the same apartment. The white woman's call was immediately returned and put through to an agent and she got an appointment to see the apartment.

Suspecting racial discrimination, Ms. Benjamin filed a complaint with the Human Relations Commission. Thank goodness she did, because the Human Relations Commission investigated the complaint and here is what they have found so far:

- Through allegations by several former employees of NALCO, they found that NALCO

first instructed its employees in methods they could use to identify African-American callers, such as listening for speech patterns, finding out what neighborhoods they lived in and whether they used public transportation.

- Also, they found that NALCO used special secret codes to identify callers by race. Employees put these codes on their lead sheets and then these sheets were either put in the garbage or they were put in a file labeled "bad calls" which were never returned.

- They also have alleged that NALCO ignored African-Americans who managed to elude this screening process and showed up at an apartment building for an appointment. NALCO rental agents would drive past prospective tenants without stopping when they turned out to be African-American.

- NALCO is alleged to have routinely rejected African-American job applicants who made up 40-50 percent of all of their job applicants. Four of NALCO's 80 employees are African-American and they're all maintenance workers.

There's more, but I'll spare you the ugly details and quote from one former NALCO employee. "The bottom line is this. We were not allowed to even process applicants who are black. I have been told to throw the lead sheets in the garbage if they sounded black over the phone. Definitely don't even let them come in for a test if they're black." That's from a former employee of NALCO.

Mr. President, this is disgusting, it's repulsive, and it's the most pernicious form of racial discrimination. We all know that racial discrimination exists today in many forms, but these allegations are the most blatant that I have seen in years. They charge that an entire company devised and implemented a systematic

policy of excluding African-Americans from renting their apartments and from obtaining employment with the company.

Most of NALCO's 1000 units are in City Council District 8 and if these allegations are true, I'm ashamed that they operate in my district and in the City of Pittsburgh.

Despite these allegations by several former employees, NALCO continues to deny any wrongdoing and has refused to settle with Ms. Benjamin. The Human Relations Commission, however, has found probable cause in the Benjamin case and has called for a public hearing, which is very much like a court proceeding, to their credit, and they deserve a lot of credit here, Mr. President.

The Human Relations Commission has also filed their own complaint, a broader Commission complaint against NALCO upon the allegations that the company has routinely and systematically discriminated against African-Americans. Moreover, the Human Relations Commission has received dozens of calls from people who have been discriminated against by NALCO and at least two more formal complaints have been filed.

Personally, I'm not surprised about these allegations against NALCO because when I rented an apartment from them many years ago, they engaged in deceptive practices with me. I can't tell you how many people have complained to me about their practice over the years.

We have to send a message, the strongest possible message that racial discrimination such as those alleged against NALCO will not be tolerated in our City. We can't tolerate a company trying to institute its own form of housing apartheid here in Pittsburgh. Pittsburghers pride themselves in being extremely tolerant of racial and ethnic diversity and we can't allow that pride

to be undermined. It's especially egregious because apartment leasing agents, such as those employed by NALCO, are often the very first people that new Pittsburghers see when they come to our City.

For these reasons, I think that City Council has to raise its voice and take some action.

I looked through the Human Relations Act, Mr. President, and found that Section 655.05 permits the Solicitor of the Human Relations Commission to seek an injunction against the rental of property if the Commission finds probable cause that that act has been violated. The Human Relations Commission has found probable cause, as I said, in the Benjamin case. And given that the Commission's complaint alleges a systematic policy of discrimination, I move that we send a letter to the Human Relations Commission Solicitor urging him that upon a finding of probable cause, to go to court to stop NALCO from renting a single apartment unit until this investigation is completed. The only way to stop this kind of action is through financial punishment.

Secondly, I'd like to move that we send a letter to our Solicitor asking for her to investigate first whether the City has standing to file its own complaint against NALCO on behalf of the citizens of Pittsburgh. And secondly, whether we can amend the Human Relations Act to levy punitive fines against wrongdoers. Right now, the Human Relations Act only allows compensatory damages and not fines.

Finally, I'd like to request that City Council send a letter to the General Services Department investigating whether or not the City has any existing contracts with NALCO and, if so, to direct that these contracts be immediately suspended. Thank you.

Michelle Madoff:

I second it for discussion. May I address my colleague?

One of the things you didn't do, and I'm a little surprised, is that NALCO is not Acme. You know, we have a rule in Council that I fought years to obtain is that we don't talk about the company, we talk about the principles. And I think it's important to name the principle in this instance.

Furthermore, if memory serves me well, this principle is head of the Apartment Association for Allegheny County, I believe.

So, I think it's really a double whammy and if you're going to send a letter to anybody, how about to the Apartment Association, putting everybody on notice, not just NALCO.

Mr. Cohen:

I think that by sending this message to the Human Relations Commission and the City Solicitor and putting this kind of heat on NALCO, it will send that very message to all the other apartment companies in the City to say that they cannot discriminate, that we will not tolerate that type of discrimination.

Michelle Madoff:

First of all, why won't you mention the name of the owner?

Mr. Cohen:

I would be happy to mention the name of the owner. His name is Frank Schroeder. He has been removed from the Board of Code Review, is my understanding. It's not my style to make personal attacks on people —

Michelle Madoff:

I don't think it's a matter of a personal attack.

Mr. Cohen:

If I may finish, I certainly will make an attack on this company and whoever instituted the policies in this company, I hope that they are prosecuted because it's a company that has instituted this policy. If that many is responsible for these racially discriminatory policies, then yes, he should be brought to bear for that responsibility.

Michelle Madoff:

Again, may I just finish, I would suggest strongly that whatever correspondence is sent to Mr. Frank Schroeder is also sent to the Association of Apartment Owners because I think they ought to know that we are concerned and not learn it third-hand by actions but right up front.

Mr. Darkins:

On the same issue, I lend support to Councilman Cohen 100 percent. It does not only just affect the 8th Council District, but it affects the entire City of Pittsburgh.

It affects various organizations such as my church organization. I have several people from the membership in church that have encountered this problem with this company.

I trust that if we are going to send a letter to the Solicitor of the Human Relations who is Attorney Byrd Brown, I trust that he will really do something about this. For too long on both sides of the street, we have been talking about racial barriers and discrimination and I really think this letter should be so strong, Mr. President, that we

get some really affirmative action from it.

The Chair:

We will have Mr. Perry construct a letter and have it review by Council prior to sending it.

Michelle Madoff:

We all should sign it. Every member should sign it.

Mr. Ferlo:

First of all, I want to thank my colleague, Mr. Ferlo, for raising this issue and trying also, more creatively, to understand its importance and how critical it is City-wide. It's unfortunate that after over 30 years of having federal laws regarding fair housing that we indeed have institutional racism in the form of the lack of fair housing policies, not only committed by way of allegations that Mr. Cohen outlined with this particular company, but I think it has been commonly known that a number of other companies do indeed practice this type of screening as it relates to telephone interview as well as the kinds of information that individuals ascertain over the phone.

I think the reason why Mr. Cohen's suggestion and motion is so important, from an advocacy point of view is that it's trying to take the issue in terms of dealing with it in its institutional impact. Rather than just say that there's one individual who has had this problem, he's trying to find an avenue to really make it mean something in terms of having an impact on the problem.

On the practical side, some may argue that making this company pay the harm of not renting out units may be counter-productive because presumably this company is in need of this income and denying an apartment to

somebody, some may argue that that's not practical. I would argue that that's one of the best ways to send a message, as Mr. Cohen talks about. If you provide an economic incentive, it's going to send a clear message not only to this company but to other companies that may indeed engage in direct or borderline discrimination policies.

So, I support the motion fully. I would feel very strongly that the City does have standing based on federal and state laws and I would also encourage the Solicitor, as Mr. Cohen has suggested, to become involved as a party in these proceedings.

Mr. Ricciardi:

Mr. President, I also would like to thank Mr. Cohen not only for raising the issue but also having a plan of action. However, I believe there were three motions made and if Mr. Cohen can once again read the third motion and explain that in a little more detail. That motion I believe deals with City contracts.

Mr. Cohen:

Why don't I go through them all real briefly? The first one is the Human Relations Commission asking that their Solicitor, that upon finding a probable cause, to go to court to seek an injunction to stop NALCO from renting any apartments under that section of the Code that I mentioned.

The second is a letter to our City Solicitor asking that she look into whether the City can file suit against this particular company and whether we can add fines to the Human Relations Act for economic punishment. It's a question out there because there's a State Human Relations Act that applies to this.

Third is a letter to the General Services

Department to investigate whether this City has any contracts with NALCO. Its conceivable that we do. And, if so, to suspend those contracts until this investigation is completed.

The Chair:

I think all three can be taken in one motion.

Mr. Ricciardi:

If I can follow up with that, Mr. President, for dialogue with Mr. Cohen.

Mr. Cohen, the reason I asked about that third motion, it appears that we're directing the Director of General Services to suspend all contracts with the particular company. The problem or the concern that I have with that, would that be before a finding of fact? Before the company was ruled in such a way that it was guilty or if there were some suspicion? That's the way we word that, so if you could please have more dialogue on that one or explain it a little further.

Do you see my problem with that, Mr. Cohen? Basically, we're saying that we're going to suspend the contracts of this particular company before I have before me any finding of fact.

Mr. Cohen:

The reason you don't have it before you is because the Human Relations Commission hasn't communicated with us. But they have found probable cause of a violation. That's enough for them to be able to have a public hearing on this and it's enough for them to be able to go into court and seek an injunction.

This would be similar to that. It would be a restraining order suspending contracts until a

final determination has been made. I think that finding of probable cause is enough for us to suspend those contracts until a final determination. If they're found to be innocent, then we should revive those contracts.

The Chair:

We're not sure we have contracts yet.

Mr. Cohen:

We're not. Not at all.

Mr. Regan:

I just want to say that in this great country of ours, we can't have someone proven guilty before we know all the facts, before all the facts are presented, and I personally would like to see them get the maximum fine, the maximum of anything that they had coming to them. But we always have to be aware that we are a great country and you can't be guilty before you have a trial. I would say that we have to be very aware of that. We're not the judicial branch of the government. I think Mr. Cohen has done a tremendous job, I commend him for what he has done, and I think that we're headed in the right direction. But I just wanted to be aware that in my humble opinion they should get everything they have coming to them when they're found guilty. But I think we have to be very aware that they have that right.

Mr. Cohen:

Mr. President, just to clear this up. I agree with Councilman Regan. As I said, the letter to the Human Relations Commission is that they should only do this under law and on a finding of probable cause. The same thing is true with the contracts. We wouldn't want to do this without a final determination so I don't think you have to worry about that.

The Chair:

So we have a motion on the floor that includes three items as indicated by Councilman Cohen.

All those in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

On two unrelated issues, Mr. President. You have set a public hearing in regards to the Fire Study, both the initial document as proposed by Ernst and Young, and also given the comments by Michelle and others, that public hearing will also react to whatever recommendations might be formulated by Mayor Masloff and her Administration based on the initial study. So, there's actually a public hearing that will be held on November 13th which is a Wednesday, at 2:00 p.m. in the afternoon here in Council Chambers.

Obviously, I'm stating this for the public record so that we can alert people, community organizations, individual residents, especially in affected neighborhoods where at least the initial study did propose the closing of eight stations. In my own district, the Stanton Avenue Fire House was the scene of a picket line rally attended by some 200 residents. The proposal is not to close that station but there is concern by myself and others that, as is the case throughout the City, pieces of equipment will be eliminated and/or reduced from certain fire stations and we feel that that will have an adverse impact on response times.

So, I think it's important that we alert the public that they're welcome to testify and express their concerns regarding any Mayor's proposal that would come out of the initial Fire Study or the

initial Fire Study itself and it's Wednesday, November 13th, and they can call the City Clerk at 255-2138 to sign up. Since this hearing is indeed in the afternoon beginning at 2:00, if there are working people who still would like to speak, it's safe to assume that if they call and ask to be put down further on the list that we will probably have that hearing extending into the early evening hours. Wednesday, November 13th, beginning at 2:00 p.m.

Secondly, just by way of an invitation, Lawrenceville will be the scene of the Second Annual Halloween Parade this coming Friday evening beginning at 6:30. The parade assembles at 36th and Butler Streets and I'd like to extend an invitation to all my colleagues. If you'd like to walk in the parade, either in costume or just by yourself, you're welcome to.

It's a great parade and this has really been a grass roots effort in the Lawrenceville community as the support of the Citizens Council and the Business Association and the Arsenal Organization. Lots of different community groups have come together as well as individual citizens to put on a great parade. At the end of the parade, the Boys and Girls Club is decorated as a Haunted House.

This is all free and volunteer and we've been working to raise money and yet in kind contributions will be providing over 3000 Trick or Treat bags to kids who go through the Haunted House. It should be a great event and I welcome all of you to attend. It's this Friday evening, the kick-off at 7:00 p.m. at 36th and Butler Street and you're all invited.

Mr. Cohen:

I'd like to know what Councilman Ferlo will be dressed as this year. Last year he was Dracula. I definitely would go if he dressed as Dracula again.

Mr. Ferlo:

Someone suggested, given my Syria Mosque stint at the jail, that I come in prison stripes. But I'm not sure.

The Chair:

Thank you. Mr. Perry, would you make sure that the Bureau of Cable Communications adequately broadcasts the notification of that hearing, even beefs it up a little bit so that all the public is aware of it, in addition to our normal procedure of advertising for a hearing? Thank you.

Michelle Madoff:

I would like to read a very small editorial from 1983, and you'll see where I'm going.

"Ms. Madoff Urges Hiring Of Council Fiscal Expert -- City Councilwoman Michelle Madoff tomorrow will ask colleagues to approve the hiring of a fiscal advisor for Council at an estimated cost of \$30,000 to \$40,000 per year. A similar proposal by Ms. Madoff in 1981 was defeated.

In a resolution to be introduced in tomorrow's meeting, Ms. Madoff said, 'Council is frequently confronted with major issues that require a high degree of expertise in economics and general fiscal matters.' She said the only advice available to Council is from Administrators under the supervision of the Mayor. 'It is a conflict of interest and a breach of public trust for the Legislative body of the City to rely on the Executive branch for legal and fiscal advice', she said.

'Council needs a fiscal expert to provide independent advice on legislation pertaining to bond issues, unfunded pensions liability,

workers' compensation debt and other complex issues', she said.

'In the coming months, Council will vote on rate increases proposed by the City's Cable TV operation, decide whether to establish a semi-public authority to upgrade the water system, and vote on issues related to the North Shore Development among other things', she said."

Well, from '81 when I started, you know I started talking about it way back at the end of '79, around '79. So, we're talking about a very long time.

There was no way that we were ever going to get a fiscal advisor to this Council because of the make-up of Council. It belonged to the other side of the floor.

I have talked to my colleagues. I'd like you to really start thinking about what I'm suggesting. As you know, Dan Cohen and I have talked and, thank God he's very knowledgeable of the law, about introducing legislation to this Council that Philadelphia has that says that the Administration, hopefully it would apply to, I don't think it would but it would be wonderful if it did, to authorities that nobody can go out on a negotiated bond without permission of Council. The state law says that that's what they must do but we have to implement it as a law of the City of Pittsburgh.

The problem with that is, if we introduce that piece of legislation and Mr. Hayllar comes with a bunch of professionals and says, "Oh, no, Council, you're wrong. You don't understand. Let me tell you why we should go out and negotiate bids."

I have a compilation of four years of bids through the whole state of Pennsylvania and, universally, if you take a look at these bonds, four years of bonds, almost always when it's a

negotiated bid the taxpayers and the ratepayers of our community pay more so that probably over the last ten years we're talking about maybe \$100 million when you talk about authorities and the Airport and what have you in this County and City that have been paid needlessly.

Unless we have somebody who has the credentials, the know-how, the independence, somebody who doesn't sell the bonds, not looking to get a piece of the action, who will stand up and say to Mr. Hayllar and to the Administration, "We think you're wrong and here's why" there's no point in our introducing that legislation that says that you cannot go out on a negotiated bond unless you have permission of Council.

And I think with the economy the way it is, Council has always been sort of window dressing. What do we really do? We look at the budget out of context, the hip bone isn't attached to the thigh bone. We don't look at what is the whole package. And that's not to say we don't have good people. Our budget people are the best. I think Kurt and other people are wonderful. Johnny. This is not to say we do away with the Budget Office; this is a financial advisor that comes in and says to Council, "The debt service of the City of Pittsburgh is something like 16-18 percent; here's an idea how we can cut that debt service. You're going out on another bond, I think it should be competitive or it should be negotiated and here are the reasons why."

We need our own advisor. We can no longer sit here as window dressing and just introduce motions like Dan did, as important as they are, that we should not have discrimination or, as you say, local apartheid. We have to really get into the financial process. And if we can get enough votes here to do that, I think that we can really be a force in this City for good.

I'm just mentioning that. I will be

introducing that in the form of legislation and I talked to our good President about perhaps doing it on a consulting basis. But whatever it takes, we have to think about it seriously.

Mr. Ferlo:

On this same subject. I definitely sympathize with Michelle's concern that she has been raising for a number of years. But I would ask that as Councilmembers begin to think about this, both with their interviews and discussions with the consultant that we hired regarding what our needs are and what role we would like to see Council play in the scheme of things in terms of checks and balances. But we do have a budget debate and a budget review coming up and that is the appropriate time for us to begin to look at budgeting this position that we would like to create within Council's operation. And I hope that we can be focused in and debate this and come to a resolution on this issue before the end of the year.

The Chair:

And if I can add one last note, that's one of the reasons why we're having an organizational analysis done in the Clerk's Office, to see if there are additional needs and, if so, what are they.

Mr. Regan:

Mr. President, I presented a Press Release today regarding City Court and I don't want to belabor the matter but, you know, Michelle is talking about saving \$100 million and I'm only talking about saving a measly \$30-40 million over a 20-22 year period and a \$2.6 million savings for the City of Pittsburgh and their taxpayers whose backs are broken paying taxes.

I won't read it but I presented it to all of Council and all the media.

(MR. REGAN'S PRESS RELEASE)

FOR IMMEDIATE RELEASE

October 24, 1991

**COUNCILMAN REGAN COMMENDS
COLLEAGUES FOR SUPPORTING HIS
PLAN TO ABOLISH CITY COURT**

Councilman Bernard J. "Baldy" Regan publicly commended the other members of City Council for supporting his plan to deny funding for City Court in the budget for 1992. Regan stated that he was gratified with the growing acceptance of the proposal that he first announced last Spring. Regan reiterated that there has been no resistance to his cost-effective proposal other than from the Mayor's Office and from the persons who are employed in the City Court system.

Regan expressed sympathy for those persons who are employed by City Court. He said: "No one in this City is more sympathetic to the plight of the working person than am I. However, in good conscience I cannot ask the taxpayers of this City to foot a bill of several million dollars, when the services that these dollars buy are presently available at no direct cost to the City taxpayers." The Councilman was referring to the elected district justices who are paid with state funds and whose courtrooms, staffs and facilities are provided with county monies.

Regan chided the Mayor's Office for its claim that the abolition of City Court would result in administrative chaos. He noted that every other municipality in Pennsylvania, including the City of Philadelphia, operates totally with elected judicial officers using state and county financial resources. He also noted that all of the judicial officers in Pennsylvania are part of a unified system headed by the Pennsylvania Supreme

Court. Regan stated that the Supreme Court has its own administrative office, that a statewide computer system is almost in place to serve all of the courts in the state, and that the Pennsylvania Supreme Court is the oldest court in the entire United States. According to Regan, the judicial system in Pennsylvania, under the leadership of our Supreme Court and Chief Justice Nix, is in excellent shape. There is absolutely no reason to believe that the expertise possessed by this honored and distinguished body cannot solve whatever administrative problems will result from the termination of City Court. Praise was given to President Judge Paul Zaverella of the Allegheny County Common Pleas Court who directly supervises the activities of all of the elected district justices in this County. Regan claimed: "Anyone, including the Mayor's hired hands, who does not believe that our Supreme Court and President Judge can make work in the City of Pittsburgh what has worked since 1970 in the rest of Allegheny County and throughout the state is totally without vision. The Mayor's Executive Secretary is a lawyer. Certainly, he can recognize the success that our Supreme Court has had administering a system of elected district justices in the rest of our state. He should also know that, under the leadership of President Judge Zaverella, all of Allegheny County, with the exception of Pittsburgh, is served by elected district justices. Every day these persons hear criminal cases filed by state, county and local municipal law enforcement officers. The system works everywhere else, and given a chance it will work in Pittsburgh."

Regan concluded by stating that he was shocked that the Mayor's Office accused him of "Cronyism" by proposing this plan. He said: "If the Mayor, or anyone else, thinks that my plan to abolish City Court is to save jobs of district justices or anyone else, they are sadly mistaken. I was elected district justice in 1969, and I took office in 1970. Since that time I have been adamant that the district justices elected in the

City should perform all of the tasks routinely done by their suburban and state-wide counterparts. Because of the present financial crisis facing the City, this proposal makes even more sense in 1991. Cuts must be made. Let's first make the cuts in areas where replacement services are presently in place and are being funded by other units of government."

(END OF PRESS RELEASE)

Mr. Regan:

I would like to thank the students from the University of Pittsburgh and Westminster and Professor Lilly for coming down here.

I would like to ask Council, and these are some of the things that I've talked about with promoting the City of Pittsburgh, I think we have to get people in here and I had these young people in my office explaining to them some of the tremendous deals that we have in the City of Pittsburgh for housing and different things. I explained to them about in the poll we were labeled as the safest city in America of a million or less people and I think that we have to publicize that. We have to promote our City and do what Council can to help.

I'd like to ask you, Mr. President, if you would send a letter to all the college presidents and high school principals to ask their seniors that are getting out of school to think about the City of Pittsburgh and any groups that would like to come and see a Council meeting and see how urban America works because I think they could use our help and we could really use their help.

I would appreciate any help that we can use to help promote our City to these young people because they really don't know about us. They really don't know what we have and I would like them to come in to a Council meeting and, maybe if we have it set up prior to the Council

meeting, one of our Councilpeople could talk to the groups coming in for a short period of time and just go over some of the things that we have to offer before they sit in on a Council meeting and see what we're doing.

I think sometime its impressive to see our lady Councilwoman swing into action here. She goes back years and she's up to current events and I think she does a tremendous job. We all love her. We fight with her a lot but we still love her.

But these are the things, we have to bring these people into Pittsburgh and let them know what we have.

The Chair:

Thank you, Councilman Regan, and thank you on your representation in Atlanta.

Mr. Regan:

I wanted to tell you, the Mayor Maynard Jackson and Councilman Bill Campbell, Morris Finley and a fine Councilwoman named Mary Davis, they entertained us while we were down there. We visited a homeless shelter and they had us mopping floors. You probably would think of me as mopping floors but who would ever think that Jake Milliones would get out there and swing a mop?

Then they had a little food fight in the one section, so we cleaned off the wall for them in there. I had to get a little help because I couldn't bend down all the way to the bottom.

But I think it was a great visit because they learned a little bit more about Pittsburgh. We were at the game with the Mayor and all the Councilpeople and the President of Council and we really had a great time. But I think what we did there is back up what their people said when they came to Pittsburgh, that this is truly a great

City.

And the fans that came here just couldn't believe what they saw, what a clean City it was and how well our people treated them.

They said they never thought that we'd back up our bet. They didn't think that we'd show up, first of all. When we did show up, they didn't think that we'd do what we had to. We had a friend of mine in Atlanta that delivered us there in a Mercedes and Jake and I jumped out of the back seat with our orange coveralls with the City of Pittsburgh on the back.

We had a lot of fun. They really treated us well and I'd like to thank our President and all the people in the City of Pittsburgh for their fine treatment to the people of Atlanta. It really helped us when we got there.

The Chair:

Thank you, Mr. Regan.

Michelle Madoff moved to approve the Minutes of Tuesday, October 15, 1991.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse Mr. Milliones for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

I need a motion to recess this meeting and meet again immediately following the Standing Committee Meeting which is held at 2:00 p.m. today, the purpose being to vote finally on the

bond issue.

Mr. Cohen:

So moved.

Michelle Madoff seconded the motion.

And on the motion of Mr. Cohen

Council recessed.

Thursday, October 24, 1991
Pittsburgh, PA

And the time of recess having expired,
Council reconvened.

Mr. Milliones presented

Bill No. 3314

Report of the Committee on Finance for October 24, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2915

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance to execute a Cooperation Agreement with the County of Allegheny and the Public Auditorium Authority of Pittsburgh and Allegheny County to provide for uses and procedures for the distribution of hotel tax revenues collected by Allegheny County."

Which was read.

Also,

Bill No. 3272

A Resolution entitled, "A Resolution of the Council of the City of Pittsburgh (the "City") determining to incur lease rental debt in a maximum aggregate principal amount not to exceed Twenty-Three Million Dollars (\$23,000,000.00) by entering into a Supporting Agreement (the "Supporting Agreement") with the Public Auditorium Authority of Pittsburgh and Allegheny County (the "Authority") and the County of Allegheny; determining that such lease rental debt shall be evidenced by the Supporting Agreement by which the City agrees to pay one-half of the debt service on the Public Auditorium Authority of Pittsburgh and Allegheny County Auditorium Bonds, to be issued by the Authority in a maximum principal amount not to exceed \$16,500,000 of 1991 Series A Bonds and in a maximum principal amount not to exceed \$6,500,000 1991 Series B Bonds; authorizing and directing the proper officers of the City (A) to prepare, to certify and to file the debt statement required by Section 410 of the Pennsylvania Local Government Unit Debt Act; and (B) to execute, to attest and to deliver, as appropriate, the Supporting Agreement between the City and said Authority; approving the form of said Supporting Agreement; specifying the maximum amounts of the supporting obligation of the City pursuant to said Supporting Agreement and the sources of payment of such supporting obligation and pledging the full faith, credit and taxing power of the City in support thereof, providing for proper officers of the City to take all other required, necessary or desirable related action in providing for the effectiveness of this resolution; providing for the severability of provisions of this resolution; and providing for repeal of all inconsistent resolutions or parts of resolutions."

Which was read.

The Chair:

That bill has been amended in Committee to read \$22,165,000 rather than \$23,000,000.

Michelle Madoff:

Discussion. First of all, I would like my comments brought forward in full, my interaction with Mr. Hayllar, for the Record so we can look back at it in years to come.

The Chair:

I, also, would like my remarks brought forward.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MICHELLE MADOFF'S AND MR. WAGNER'S COMMENTS ON BILL NOS. 3272 AND 2915, WEDNESDAY, OCTOBER 24, 1991)

Michelle Madoff:

Discussion. Director Hayllar, you have met with all of us and explained, because it was rather convoluted, this is a matter of three bonds. Do you want to summarize for the general public who may be listening and then I have a number of questions for you.

Dir. Hayllar:

This is the money that the City committed to in December of 1990 in the agreement with the Civic Arena Corporation and the Pittsburgh Penguins lease and keeping them here in the city. We committed at that time and Council approved repaying the Civic Arena people, the DeBartolo Corporation, almost \$2 million for money that they had expended for press boxes at the Civic Arena and an additional up to \$4 million for capital improvements.

Michelle Madoff:

Heating and lighting?

Dir. Hayllar:

Heating, lighting, air conditioning, ice- making equipment and so forth.

Originally it was considered that this would have to be a taxable issue. Only a few weeks ago the underwriter produced information that allowed us to produce this to go forward as a tax-exempt issue which is of course a considerable saving to the City. It also allows us to refund the 1985 bonds from 1995 to the end of the issue and the 1984 bonds. So it's approximately a \$22 million issue, \$6 million is new money and the rest is taking advantage of the lower interest rates to keep our debt service down.

There will be companion legislation that I believe Council will take off the table for consideration which will consummate an agreement the City and the County made back in July that the Commissioners already passed and signed that will dedicate hotel tax money, which is a county tax, to the payment of this debt service. So if all goes well the passage and assumption of this debt of which we are responsible for 50 percent will be paid out of the County's hotel tax money.

The Chair:

How about if it's the will of Council to put a motion to untable that bill right now?

Michelle Madoff:

So move.

Mr. Cohen:

Second.

Which motion prevailed.

The Chair:

The motion to untable Bill No. 2915 pertaining to what Mr. Hayllar just referred to, the hotel tax, so that bill has been untabled.

Mr. Cohen:

Do we have that bill in front of us?

The Chair:

We will get copies. We also have the Solicitor of the Auditorium Authority here, would Council want Mr. Brown to come to the table?

Michelle Madoff:

If anybody wants him they can invite him, I don't need him.

Mr. Hayllar, as I understand it, ultimately there will be three bonds issued. One of them is going to have some money for the cultural trust?

Dir. Hayllar:

That is another issue. That may be before Council again.

Michelle Madoff:

But it's all part of the package. And this one is to reimburse the commitments, rather than our doing the work DeBartolo did the work and we made commitments to pay for that and this is the bond to cover the expenses. The balance is to repay the existing bonds because interest rates have dropped substantially which will save us money on the original cost of the bond.

Dir. Hayllar:

There's a \$566,000.00 savings.

Michelle Madoff:

Even after repayment of the initial cost of the bond?

Dir. Hayllar:

Yes, on the refunding.

Michelle Madoff:

Taking into consideration, I want to be sure that we understand that, the original cost of issuing the bond there will be a savings.

Dir. Hayllar:

Yes.

Michelle Madoff:

And also the fact that in the future it will be at a much lower rate on the new money you borrowed.

Dir. Hayllar:

Yes. We have 11 percent coupons out there.

Michelle Madoff:

So we went from 11 percent to --

Dir. Hayllar:

The true interest costs on this is 6.24 percent.

Michelle Madoff:

Is that a par or below par?

Dir. Hayllar:

It depends on the series.

Michelle Madoff:

And when you and I spoke you said that you thought it was going to come to something like \$21 million if I can add correctly -- 16 and 6 is 22 and another thousand -- about \$23 million; is that correct?

Dir. Hayllar:

It's \$22.2 million I believe.

Michelle Madoff:

I have no problem with what you have orchestrated and I think refinancing the bonds is appropriate. The people who are having the bonds called aren't going to be too happy but this is the right way to go for the City. The problem I have again is this is a negotiated bond and it is not a competitive bond. My question to you is, when you went out initially -- the bond that was held up originally because you thought it wasn't going to be tax free and people who bought it would have had to pay taxes on their dividends, so that everybody understands that. We went out and bought some of these shares and you would have had to pay taxes on it therefore it's not a saleable, it's one that you bought that's tax free. Did you have Barbara Biscara on board at that point?

Dir. Hayllar:

Yes, as a financial advisor.

Michelle Madoff:

Did you ask her whether it was tax exempt or not?

Dir. Hayllar:

She's not an attorney. There was always a question about that but that was up to bond counsel who at that time with the information available felt it would be a taxable bond.

Due to the underwriters work and securing it at his own expense, it was determined that this could well be and should be a tax-exempt bond.

Michelle Madoff:

Do you want to explain something that's very important that you and I talked about -- the fact that when they sign off on a bond that is tax free, the onus is on the person who signs off.

Dir. Hayllar:

The bond counsel submits the letter on the tax status of the issue and not only their professional careers but their ticket and probably all their goods and chattel are on the line based on that opinion, so it is not a small consideration.

Michelle Madoff:

Which is very important, so we were right to wait and change the bond, there's no question about that.

Again, I have no problem with the bonds, I have no problem with the amounts and how the money is being spent. I think these are commitments that we're making and obviously keeping the team here 16 years is going to be fabulous. The thing I have a problem with again is a negotiated bond. Now we talked earlier before I came into Council Chamber and we talked about the fact that Mr. Dan Cohen and I were going to introduce legislation emulating what is going on in Philadelphia which is an extraction from the State of Pennsylvania which says that before you can go out on a negotiated bond you would have to come to Council for permission and we were all set to introduce that and Mr. Cohen and I talked about that and I've talked with some of my colleagues and I think it would be absolutely worthless. Because what would happen if Ben Hayllar would come to this table with his advisors and say "Oh, it's wonderful, let me tell you about the one time we went out on a competitive bid and it didn't work and let me tell you why all of these negotiated things are wonderful" and we haven't anybody to stand up to you and say, "C'mon Ben, knock it off".

Dir. Hayllar:

I'm pleased to learn that I'm that convincing.

Michelle Madoff:

Not to me you're not. The point is that we don't have the stature and the experience to stand up to even a limited amount of experience you have and it is somewhat limited. We want to get a bond counsel and a financial advisor who has the credibility to be able to say to us this is the way it should be, yes, we should go to a negotiated bond when it's an airport bond with hundreds of millions of dollars, yes, when we finance our city debt which we did at \$190 million we should go to a negotiated bond. But normally on this little \$22 million bond we don't need to be going to a negotiated bid.

I just want to end it by saying something I said earlier today. I have a compilation of every bond issued over a four-year period in the State of Pennsylvania and every single time it is negotiated, it costs the taxpayers and the ratepayers more money than when it is competitive and I can't say that often enough or loud enough. Even if you've got one exception that proves the rule and I want you to know that my colleagues are very, very serious considering getting their own financial advisor. At that point our financial advisor will clue us on how to deal with you. I am very unhappy with the fact that it's a negotiated bid and my colleagues asked me the last time, why did I vote for it when I had these very strong persuasive arguments because we've got to get on with the City's business whether it's negotiated or competitive. Whether you don't understand the basic principles that we don't want to give the store away.

Now it is true that during these very needy times the competition is so much keener and besides the fact that I'm watching people and they know I'm watching, is forcing the market to come in closer to where the reality is and you understand what I'm talking about. On that note I've had all of my say.

Mr. Cohen:

Thank you, Mr. Chairman. Director, why don't you answer the part about negotiated versus competitive.

Dir. Hayllar:

There are two schools of thought that an issue that has no complexity to it to simply announce restructure the deal yourself with your financial advisor, you announce, such and such a time, any underwriter may come in and tell us at what interest rate they would purchase the bonds. The problem with that, and that works in a good economy and a simple situation. In a complicated situation the negotiated method is used whereby we hire an underwriter, in this case the Authority upon the advice of Council, from the County and the City, hired an underwriter that we will work with the structure of the deal. I don't want to repeat this argument that we go through every week. There's merit to Michelle's argument but in this case --
The Chair:

May I ask a question here? How much money are we receiving from the hotel tax and what is our debt service according to this bond issue?

Ms. Conturo:

I don't have those numbers handy, do you Ben?

The Chair:

In other words, do we have a sufficient amount of money coming from the hotel tax and if we do what is the excess that's available beyond the debt service payment?

Dir. Hayllar:

The debt service for the Authority of which we are responsible for one-half, for example for 1992 it will be \$200,000.00 and we'll be responsible for \$100,000.00. In future years it will go up to \$800,000.00 a year of which we will be responsible for \$400,000.00.

The Chair:

How much are we going to receive in 1992 from the hotel tax and how much do we project to receive in eight years?

Dir. Hayllar:

Unless somebody knows more about it than I do, my understanding is that we're not certain. We anticipate that there may be as much as \$1 million at some point but because of the problems that occurred and we discussed last summer, we're not exactly certain what the revenue stream is going to be. The fact that the City and the County will both use that revenue to pay the debt service on their share of the bonds makes us partners in making certain that we do use it appropriately because it's to both of our benefits which is the point of the agreement between the City and the County.

The Chair:

It's my understanding, I don't want to get this issue all muddled up with that money but the hotel tax went from three to five percent, one percent of that additional two percent going to the Convention and Visitor's Bureau and the remaining one percent being split equally by the City and the County and if that is the case, what is the amount of money that the City is to receive annually under present projections?

Ms. Conturo:

I don't remember that number although I thought it was just about enough of this debt service.

The Chair:

That leads to my colleagues' questions here as how are we using the additional fund received by the hotel tax?

Ms. Conturo:

You're asking what is the additional after debt service.

The Chair:

Obviously it's a whole lot if our 1992 commitment here is only \$100,000.00.

Ms. Conturo:

There are other bonds outstanding that are also being paid with the hotel tax money if we authorize this cooperation agreement.

The Chair:

We're voting on a multitude of things here and I think Council needs a clearer picture as to what revenues are coming in as a result of the bill we just untabled and also what our commitment is under the other bill, Bill No. 3272.

Dir. Hayllar:

Councilman, I don't want to bring in other problems. One of the problems as you know we've had is getting an accounting because it's not our tax and because the Authority responsible for that has been somewhat elusive in giving us information. That's information that when we get we will certainly give to you but it's not our tax that we collect.

The Chair:

We would like to know precisely what that amount is and if it takes this Council getting involved with the County then we should because truthfully a portion of this funding belongs to the City of Pittsburgh not only for this purpose but also in the second part of Bill No. 2915, we talk about regional tourist promotion activities and it's always been my intent that our portion of our funding will be used primarily for that purpose. Mr. Turner, can you add to this?

Mr. Turner:

Just on some of the numbers since I was involved in the early discussions. The current debt service for the Auditorium Authority issues is approximately \$1.2 million. That will increase by this issue the numbers that Mr. Hayllar gave you so for next year it would be approximately \$1.3 million and after that it will go up even more.

The original estimate on the amount of funds to be shared between the City and the County for this year had about \$1 million for both the City and the County. However, you'll recall the first quarter of this year was an incredibly bad time for the hotels. That was during the war and basically everybody stayed home so the revenues are not as good as originally projected. We have recently requested from the County the exact numbers on what their projections are, but to make a long story short, the money coming in will not cover the debt service that it can be used to pay for certainly, initially, actually -- I don't see there being an excess for quite some time.

Michelle Madoff:

Ladies and Gentlemen at this table, it occurs to me that there's something we're overlooking and we should never overlook. There's a transcript of this meeting at all times available for any purpose in the future and anything we agree to here becomes in effect what we agree to vote on and I think the changes are very good and well and I support them and will vote for them but you do have some backup as to later someone saying, "but I didn't understand it and we used the money in a different way" and we're being very explicit and very clear, all of us, as to what we're doing here, and just don't forget you do have this transcript.

The Chair:

And we also have the potential to come back and amend Bill No. 2915 at any time in relation to how these dollars are utilized. I want to make sure that we're getting 50 percent of the hotel tax that is warranted to the City of Pittsburgh based on a resolution passed by Council two years ago when we lobbied very hard for the passage of this bill at the state level.

Any other discussion in regard to either of the bills?

Mr. Ricciardi:

Are we going to vote?

The Chair:

We are still on the amendment. All those in favor of the amendment signify by saying aye? Opposed? The ayes have it.

Mr. Ricciardi:

If Mr. Brown can rejoin us at the table, the Authority's Solicitor.

The Chair:

While Mr. Brown is coming to the table, I need a motion to amend Bill No. 3272 by substitution.

Michelle Madoff:

So moved.

Mr. Regan:

Second.

Which motion prevailed.

The Chair:

All in favor signify by saying aye? Opposed? The ayes have it. Now the two bills as amended are on the table.

Mr. Brown, I have one final question. With this new agreement that you have talked about, are we assured that the Penguins will stay within the City of Pittsburgh for the next 16 years?

Mr. Brown:

The only condition that would cause the Penguins to leave would be if attendance in any year dropped below an average of 11,250 and then the sub-leasee has the right to exercise the option. They may not do it but has the right to do it.

The Chair:

So we have achieved two goals. We have reduced the total capacity requirement that existed before plus we have extended the lease for ten years.

Mr. Brown:

That's exactly right.

The Chair:

How were all of you so successful to negotiate that with the new owners versus the previous owner, Mr. DeBartolo?

Mr. Brown:

I would say that the new owners are very cooperative and I sense very anxious to be a part of the Pittsburgh community.

The Chair:

I commend you and all the members of the Auditorium Authority for achieving those goals.

Mr. Brown:

Thank you, Mr. Wagner.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Michelle Madoff:

Again, I started in 1981 officially trying to get a fiscal analyst for Councilmembers for this segment of the floor. I think if the interaction today with the Administration through Mr. Hayllar didn't prove that we need our own fiscal advisor, I don't know what does.

I'm going to vote for the bills because we don't have a choice. We cannot hold up the progress of the City. We can't hold up keeping the team here, the hockey team. But the way the contract was negotiated as a negotiated bond as opposed to competitively bid is very distressing to me. As I pointed out earlier, I believe over the last ten years, probably \$100 million has been wasted of taxpayer's and ratepayer's money in Allegheny County because of negotiated bids. And, as I said earlier, I have a compilation of every bond over a four year period in the State of Pennsylvania and almost invariably almost 100 percent negotiated bonds cost the City, the Authority and the County basis points which means money, and basis points are not accupuncture.

I'm suggesting very strongly that we prepare ourselves by having a fiscal analyst for Council so that we don't have to deal with the kind of double talk that we got today, that we hire, we, the City of Pittsburgh, hire a fiscal advisor, pay them very heavily, Barbara Bisgaier, a very competent woman, to advise on bonds, and then finds out that they didn't know when they went out on a bond that it would be a tax exempt bond, thought it would be taxable which makes it harder to sell, and then tells us at this table that that's why we should go to a negotiated bond, look what they found out. Nonsense.

In dealing with their accounting people and dealing with their attorneys, they should have known to explore all avenues and in advance know whether it should be a taxable or

non-taxable bond and we should go out on a competitive bid, especially when we're paying for fiscal advice. When you have a fiscal analyst or advisor, that person says you don't go out on a Thursday before Thanksgiving. When we're talking about going into a Gulf War, that person says, "We will put in a rider in our bond issue that if anything happens we can hold it for a limited period of time."

We get double talk here and unfortunately none of us that I know of are bond experts. Some of us deal in bonds but we're not bond experts and we don't have the credibility to get up and refute what is being thrown at us. And I hope that in the very near future not only will we pass legislation like Philadelphia does, the State of Pennsylvania, that you must have permission from this Council in order for the Administration to go out on a negotiated bid as opposed to a competitive bid. But we don't do that until we have a fiscal advisor because it becomes our word against their's. They will bring in the troops and tell us all the reasons that sound logical and sound reasonable if you don't know what's going on that may suck us in to going along with what they've been doing, business as usual.

As I said, I'm going to vote for it because what choice do we have.

Mr. Coyne:

Just for clarification, the bill is as amended, right?

The Chair:

Yes.

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Michelle Madoff

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

And on the motion of Mr. Coyne

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 42

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, October 29, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

If Dr. DeSena and Mr. Whetzel could come up here please. Good morning, Members of Council. Good morning, Reverend Darkins; I hope you were well-roasted last night.

I'm happy to read the following proclamation about the Carnegie Science Center.

Mr. Cohen presents

No. 3329 WHEREAS, the Carnegie Science Center on the North Side, which opened October 5, 1991, is one of the most innovative and spectacular permanent museums of science in the world; and

WHEREAS, the Carnegie Science Center, built at a cost of about \$40 million, is an excellent example of a public-private funding venture working toward a goal which benefits all; and

WHEREAS, the Carnegie Science Center, completed over a two year period, features the most advanced high technology interactive exhibits in both the physical and biological sciences which are guaranteed to challenge and dazzle the minds of young and old alike; and

WHEREAS, this "amusement park for the mind" propels the City of Pittsburgh to the

cutting-edge of science education and exhibition world-wide.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Carnegie Science Center for this outstanding contribution to the culture, education and quality of life of the citizens of Pittsburgh and all those who travel to the City; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh congratulates the Carnegie Institute and the staff of the Carnegie Science Center on this illustrious achievement and hails the opening of the Carnegie Science Center as a major milestone for the City.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. We all know about the Carnegie Science Center and many of us were there at the opening. I just wanted to make it official on behalf of City Council to commend everybody involved, particularly the two people to my left, Josh Whetzel who is the Chairman of the Board of the Center, and Dr. Al DeSena who is the Director of the Center.

If you haven't been there, people who are watching, please go. It is the most fabulous facility. I have been there four times already and love it. Every time I go there I find another exhibit that is more interesting than the last one that I saw. It also is just a terrific example of how the public and private sectors can work together to create this terrific gem for the City of

Pittsburgh.

So, with that, I want to thank the two of you in particular for all that you've done to put the Carnegie Science Center together and I ask Josh Whetzel to begin by saying a few words.

Mr. Whetzel:

Thank you, Dan, and thank you, Members of Council, for your very gracious resolution thanking us for our efforts.

I must say the resolution, I think, should be extended to thank you for your efforts because the City of Pittsburgh and Council particularly have been supporters of this effort from the very, very beginning. Some of you may remember almost ten years ago when I came to these Chambers asking for a grant to help the then Buhl Science Center brighten up its image as one of the first steps leading to where we are today as a part of the Carnegie.

You helped us then, you have helped us at every important step along the way with the extraordinary efforts of City departments that were needed as this very complex project unfolded, to say nothing of your concurrence in the gift of land, along with the County, where the Science Center sits and your efforts for moving the highway which further enhanced the site, and then following that, appropriation of some capital monies along with that of the County and the State which made the whole project happen.

I wish I had come today armed with a resolution thanking you because that is, I think, very much in order at this point because you have been a very real and material partner in this effort from the very beginning. And on behalf of the Board of the Carnegie Science Center, I thank you very much.

Mr. Cohen:

Thank you, Josh. You really were the driving force behind the creation of the Center and I want to thank you, and also introduce Dr. DeSena who is the Director and another driving force and somebody who has really done a fabulous job over there. If you could tell us a little bit about how things are going.

Dr. DeSena:

On behalf of the staff of the Science Center, I also want to thank Council for its continuing support of our institution now and I know into the future.

We are a changing place. Last year, through the efforts of Mr. Regan, we were able to bring the submarine to Pittsburgh and I'm happy to report that we're just about ready to have our 100,000th visitor to the USS Requein. That's after only 8-1/2 months of service because we had it closed for three months during the winter.

Since we've opened to the public on October 5th, we've had over 50,000 people come to the Science Center. That's in the first 23 days of operation. And so, after only three weeks, we've far surpassed any monthly attendance that we ever had in the old Buhl Science Center and we're expecting that we are going to be able to achieve our goals over the next 11 months of bringing in close to a million people into Pittsburgh. That really is important to us for the benefit that we have with respect to science education as well as what it does regionally, for the image of Pittsburgh and the status of our City and this great country of ours.

We've been extremely gratified to find that many of our colleagues from around the country and around the world have already come to Pittsburgh to see what we're doing. We've had folks from just about every state nearby, as well

as Hawaii, and folks from Sweden and the Netherlands and Mexico and Japan coming to Pittsburgh to see what is happening here in our City and at the Science Center.

I think that was one of the objectives that we all had when we established the Center, that we wanted to continue to put Pittsburgh on the map, and we believe that we're achieving that.

Our Center is going to be one that is going to change over time. It's not one that we just opened up and now we can just sort of sit back and relax. We are going to have a very active changing program. We obviously are committed to keeping the exhibits up and running and making sure that the services that we provide are of the highest quality achievable anywhere.

Again, thank you on behalf of the staff for all of your efforts and we hope to see you frequently over at the Science Center.

Mr. Darkins presents

No. 3330 WHEREAS, Native Americans are the first Americans with a remarkable culture and heritage; and

WHEREAS, Native Americans are a people who have withstood much suffering and struggles to remain a culture rich in tradition, crafts and conservation; and

WHEREAS, the names of Pittsburgh's three prominent rivers, the Allegheny, the Monongahela and the Ohio are those sounds that are the poetry of this native people; and

WHEREAS, the Pittsburgh Federal Executive Board's Native American Heritage Committee is comprised of professionals from the public and private sectors dedicated to the uplift and enhanced quality of life of Native Americans; and

WHEREAS, the month of November, 1991 will be a time of celebration and observance of the Native American Woman and her strength, compassion and versatility; and

WHEREAS, the Native American people are a people most worthy of recognition and honor.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the Native American Heritage Committee for joining the rest of our nation to celebrate the National Native American Month of November, 1991 in this special Western Pennsylvania tribute; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims November, 1991 as "Native American Month" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have Ms. Sondra Himming here today to accept the resolution.

Ms. Himming:

On behalf of our Committee, I would like to thank you. As a Native American, I am Apache-Cherokee, I would like to present to you the Chairman of the Native American Heritage Committee, Lee Dingas.

Ms. Dingas:

Thank you, everybody, for having us

here today. I particularly want to thank you on behalf of the Federal Executive Board's Native American Heritage Committee. This has given us a chance to reach one of our many goals, and one of the biggest goals that we have is to increase awareness and understanding of Native Americans in our culture.

Today, by being present here in City Council Chambers, it's very evident that the City of Pittsburgh wants to help us reach these goals and we hope this is a beginning of a very good working relationship with everybody here in Council and with the City of Pittsburgh in general. Thank you very much.

I want to take a few minutes more of your time to bestow the City Councilmembers and the Mayor, I see she is not present, with a tradition of Native American people. We'd like to bestow you with an honoring gift, so I'm going to go get them and bestow them on you. Thank you.

Mr. Darkins:

Also, while this is being transpired, I would like to call the attention to my very good colleague on Council, Mr. Bernard Regan. When we went to Canada, this is an offspring from that trip. I just can't say that name, Councilman.

Mr. Regan:

Saskatoon, Saskatchewan.

Mr. Darkins:

That's kind of hard for me to say.

Mr. Regan:

It's hard for me. I wrote it down.

Mr. Darkins:

I think we should also make them aware that we went to the Indian Reservations as you so plainly spoke about it last night, Councilman Regan, at the affair. Would you like to have something to say now?

Mr. Regan:

Yes, I would, Councilman.

First of all, I'd like to thank you from the bottom of my heart for letting 260 million Americans live in your country. You know, we are very appreciative of the great history of the American Natives.

When I go to Europe or when I go to other countries, I always take pictures like this and they are absolutely fascinated to know about your people and our people as Americans.

I am thrilled to death to have you come in here this morning and I hope you come back and see us again. We want to make ourselves available, that anything we can do to help your cause, we're available. I'm not a real handsome, attractive guy like the Bishop, but I'm always available to help you.

Ms. Dingas:

I'd like to ask Mr. Wagner to step forward. This is a traditional Cherokee calendar which depicts all the Cherokee months as we know, January, February, March, with the traditional Cherokee language. Cherokee is only one of 400 federally recognized tribes in this country.

This is for The Honorable Sophie Masloff who couldn't be here today to receive it, so if you would see that she gets it. Thank you.

I also wanted to say a few other words. There are a lot of exciting events coming up in Pittsburgh for Native American Month.

The first event being on November 1st at The Pittsburgh Center For The Arts. We had a stamp art design contest and there are 18 pieces of work on display currently today, starting now, at The Pittsburgh Center For The Arts. The reception is November 1st at 7:00 p.m. You can come and see the art, you can see the winners, mingle with us, talk to us, and please come and see some of the art. It's very beautiful. That's one of the biggest events we have during the month.

Another thing we have upcoming on November 19th, I hope I'm correct on the date, Hattie Kaufman who is a CBS news reporter for CBS This Morning TV Program. She will be coming into Pittsburgh to speak at the University of Pittsburgh in conjunction with the Federal Executive Board's Native American Heritage Committee, the Women Studies Program and the Ethnic Studies Program. That is open to the public and it will be at the Pitt Student Union Hall and she will be speaking on Native American Women since that is our subject for the month.

Also, on November 21st at the Federal Building in Downtown Pittsburgh in Room 200, Marsha Bull will be speaking at a breakfast seminar which I'd like to invite you to come if you are able. She is a curator of anthropology at The Carnegie Museum and she will be addressing the committee that day.

So, there are a lot of exciting events depicting Native American Month. Thank you.

The Chair:

Thank you all. We're honored to have you here today.

Councilman Darkins, a great resolution.

Mr. Ricciardi:

I'd like to take this opportunity to invite Paul Freyder, Executive Director of The Public Inebriate Program to come forward, please.

Mr. Ricciardi presents

No. 3331 WHEREAS, The Salvation Army Adult Rehabilitation Program is a program to serve men with social, emotional and spiritual needs who have lost the ability to cope with their problems and provide for themselves; and

WHEREAS, The Salvation Army Adult Rehabilitation Centers are celebrating their 100th year of existence in 1991; and

WHEREAS, The Public Inebriate Program is a program of The Salvation Army Adult Rehabilitation Center in Pittsburgh celebrating its 15th year of service to the community; and

WHEREAS, The Public Inebriate Program provides men and women with alcohol and other drug abuse problems with initial treatment and withdrawal from alcohol in a non-medical detoxification center, provides outpatient counseling for individuals, families and groups and an alternative approach to treatment through a supportive Drop-In Center, all programs licensed by the Pennsylvania Department of Health, Office of Drug and Alcohol Programs; and

WHEREAS, The Public Inebriate Program is The 1991 Salvation Army Eastern Territory Social Service Program Award winner and one of five programs throughout the U.S. and Canada to be nominated for "The Salvation Army National Social Services Award For Program Excellence And Achievement".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates The Salvation Army Adult Rehabilitation Program for its 100 years of service to the people of the United States, and commends The Public Inebriate Program for 15 Years of service to the City of Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues. The Salvation Army's Public Inebriate Program is helping people recover their sobriety and their self-respect.

I'd just like to take a moment to read this short paragraph that I found in a magazine:

"It wasn't until I found myself out on the streets and living under bridges along the riverfront that I cried out to God asking what purpose there was in my life.' says Bill, a 47 year old ex-military professional who found himself with trouble with alcohol after 12 years of service with the Armed Forces."

I would just like to say that The Salvation Army Public Inebriate Program had an opportunity to help not only this gentleman but hundreds of men and women throughout 15 years of service, and I think they really should be commended for their fine efforts.

Now, I'd like to ask Paul if he would please say a few words and also tell us about the event at the Sheraton Hotel.

Mr. Freyder:

Thank you very much, Councilman. Again, it's a pleasure to be here standing before you, Members of City Council.

About 15 years ago, The Salvation Army Adult Rehabilitation Center which is located on the South Side of Pittsburgh, came to the City of Pittsburgh in an effort to provide an alternative to incarceration for public inebriates who the Pittsburgh Police would pick up and have the option of providing initial phase of treatment versus simply locking an individual drunk up in the drunk tank.

I'm pleased to say, 15 years later we still are existing much to the dismay of the social problem that we are still dealing with.

The City of Pittsburgh, Pittsburgh City Council, has always been a staunch supporter of The Salvation Army and The Salvation Army's South Side Inebriate Program.

The article that the Councilman had referred to earlier was a national publication that The Salvation Army puts out that actually is distributed throughout the world that highlights the City of Pittsburgh and highlights The Salvation Army's efforts in conjunction with the City of Pittsburgh to provide this alternative program.

Mr. Wagner had provided some support for this award as an outreach venture through the City of Pittsburgh. We also had the Mayor's support, the County Commissioners and some other agency program support.

We have come to City Council previously; we continue to come. You have been ardent supporters of us, probably most visibly in terms of your continued support to the Grants and Donations contract which we will again be

participating in next month.

So, as a representative of The Salvation Army and The Public Inebriate Program, and the thousands of individuals that we are capable to provide service to through your good efforts, I thank you very much for your support and for your continued support. Thank you very much.

Mr. Ferlo presents

No. 3315 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the Lowen-Shaffer House, more particularly located at 311 Lowenhill Street (Block and Lot Number 16-G-82) in the 19th Ward, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presents

No. 3316 Resolution amending Section 1 of Resolution No. 814 of 1991 entitled: "Providing for an agreement or agreements with an independent accounting firm to perform the annual audit for the City of Pittsburgh for a period of three years (1991, 1992 and 1993) and providing for the payment of the cost thereof." by increasing the amount of the contract by \$21,000.00 per year, from \$128,000.00 to \$149,000.00, chargeable to and payable from Code Account 1063, Index Code 106302, Miscellaneous Services, Department of Finance.
---(MR. MILLIONES)

Also,

No. 3317 Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of the statewide on-line computer system cost for the

period July 1, 1991 through June 30, 1992. The total of the warrants will not exceed Twenty One Thousand Six Hundred Sixty (\$21,660.00) Dollars, chargeable to and payable from the JTPA-1 Trust Fund, Index Code 260307. ---**(MR. MILLIONES)**

Also,

No. 3318 Resolution providing for the lease or leases of certain property on the second floor of 1700 East Carson Street from November 1, 1991 for a term of 24 months, at a rental of \$7,252.67 per month, for classroom and office space upon certain terms and conditions, and providing for the payment of costs thereof. Total costs shall not exceed \$174,064.00, chargeable to and payable from JTPA-1 Trust Fund, Index Code 260307. Said lease shall be effective November 1, 1991. ---**(MR. MILLIONES)**

Which were severally read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 3319 Resolution providing for the issuance of a \$905.61 warrant in favor of Lori Cochran for vehicle damage, charging same to Code Account No. 46, Judgments.

Also,

No. 3320 Resolution providing for the issuance of a \$1,795.11 warrant in favor of Steve

Yesnick in settlement of claim for auto damage, charging same to Code Account No. 46, Judgments.

Also,

No. 3321 Resolution providing for the issuance of a \$2,950.00 warrant in favor of Louise Butler in settlement of claim for property damage.

Also,

No. 3322 Resolution amending Resolution No. 513 of 1987 entitled, "Providing for an agreement or agreements with various agencies for job development and employment services in connection with the Pittsburgh Partnership Employment Program and providing for the payment thereof" by decreasing the aggregate amount of the Resolution by \$154.60. Total costs shall not exceed \$49,845.40.

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presents

No. 3323 Resolution providing for a warrant in favor of Public Strategies, Inc. in the amount of \$1,600.00 in payment for professional consulting services rendered to Councilman Ricciardi for the month of November, 1991, chargeable to and payable from CA 1001-2, City Council District #3. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 3324

Report of the Committee on Finance for October 24, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3222

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$667.70 in payment of railroad flagging services required during inspection of the South Aiken and Herron Avenue Bridge; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3223

A Resolution entitled, "Resolution transferring \$3,000.00 from Code Account 1490, Equipment, Index Code #149005 to Code Account 1482, Miscellaneous Services, Index Code #148205, both accounts in the Department of Engineering and Construction."

Which was read.

Also,

Bill No. 3232

A Resolution entitled, "Resolution providing for the transfer of funds totalling One Hundred Five Thousand (\$105,000) Dollars from Code Account 1922, Index Code 192203, Miscellaneous Services, Administration Division, Department of Water, to Code Account 51, Index Code 0051-08, Postage, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3233

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Davison and & Gravel Col, in the aggregate amount of \$2,167.04 in payment for sand and gravel furnished for the benefit the City in connection with daily distribution division activities; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3237

A Resolution entitled, "Resolution authorizing the transfer of the aggregate amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) from the 1991 Community Development Block Grant Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, Project No. 4-10-10-0010-91-221-91-10, Index Code 600015 to the General Fund of the City of Pittsburgh for reimbursement of salaries, wages, fringes and indirect cost incurred in support of the City's Community Development Block Grant Program"

Which was read.

Also,

Bill No. 3285

A Resolution entitled, "Resolution authorizing the transfer of an aggregate amount of six hundred thirty three thousand five hundred dollars (\$633,500) to Code Account 1461-1, Index Code 146118, Premium Pay Account, Bureau of Fire, Department of Public Safety from various code accounts in various Departments."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 3325

Report of the Committee on Planning, Housing and Development for October 24, 1991 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3096

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 Exceptions, by providing City Council the authority to reduce/modify the amount of open space, lot area, building setback yards and building height for conversion of existing buildings to housing for the elderly when located in a "C4" Commercial zone, with an affirmative recommendation from the Planning Commission, under Conditional Use Exception 993.01(a)A(33)."

Which was read.

Mr. Ferlo:

On the Bill that has been referred to as the so-called Highland Building Rezoning, I'd like to say just for the public record that I'm personally not convinced yet that the Highland Building should or could be a viable building for housing for the elderly. But I do support this amendment because I think realistically, if we look at various business districts throughout the City, we have in place a number of business districts that are "C-3" in nature where indeed we have so-called elderly highrises.

It is very difficult to think of what adaptive re-use can be for the Highland Building. Personally, I think its somewhat a warehousing of people which I'm concerned about. There's very little land in and around the Highland Building. I would hope that as that project comes to fruition, that there be some view towards providing some amenities to the building moreso than just the actual apartment unit.

Those are some of the things that need to be hammered out as that plan begins to take hold. I know they'll be meeting with the URA and looking for economic assistance from the City. This ordinance, however, is not specifically for the Highland Building but would allow a conditional use process in situations where we need to adaptively re-use large buildings such as the Highland Building.

So, I think it's important that we support the legislation.

Mr. Darkins:

As my colleague is speaking in regards to the Highland Building, I'd like to put special emphasis on the Highland Building. It is a building that can be renovated. It is a perfect

place for bringing senior citizens that are out, bringing them back to the City of Pittsburgh. It's a building wherein East Liberty itself there would constitute for those that would like in this particular building, they would be privy to the shopping area and it would be more conducive to senior citizens.

I'm very much in favor of this legislation going forward today. I hope and trust that my colleagues will join me in the effort that will transpire.

Mr. Cohen:

Mr. President, very briefly. I do think that the Highland Project is a good project for the reasons that Councilman Darkins just stated. But, also, this bill is a City-wide bill. We're always looking for more opportunities for senior citizen housing as long as it is good housing and housing that really is sensitive to the needs of senior citizens. And that's what this bill will do. I can see this applying to many other areas of the City, Squirrel Hill, for example, and I think it's really appropriate for us to approve this.

Michelle Madoff:

The waiting list for adequate senior citizen housing is endless. As I mentioned, we have had debates in this Council about locations, better or worse, and people who come pleading to us who are going to have a senior citizen highrise on a hill, maybe not as accessible as we would like, or not have the amenities that Mr. Ferlo referred to, said, "Please, get us out of wet basements. We just need to live decently. Provide us with some kind of housing."

And I'm appalled that a man of the cloth who came here to testify and put out some garbage about Councilmembers, I think that's called a DMX, would not care about senior citizens. I really think that goes to the mental

thinking of how this group functions.

We need to show that we are responsible members of the community. We are not going to listen to that kind of riff raff and we will do the right thing and we're going to vote for this legislation.

Also,

Bill No. 3291

A Resolution entitled, "Resolution amending Resolution 932 of 1991, recorded October 8, 1991, entitled 'Providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the code of Ordinances, those certain structures known as 901-911 Bingham Street, including all property designated as Block and Lot Number 3-G-246, located in the 17th Ward, City of Pittsburgh,' by deleting the language which designated property beyond the two (2) nominated recommended historic structures."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 3326

Report of the Committee on Parks and Recreation for October 24, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3238

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into an agreement or agreements with a bank for professional services in connection with the implementation of a Visa/Mastercard Payment Program to be instituted at Phipps Conservatory for payment of counter sales and permits at an annual cost not to exceed \$25,000.00."

Which was read.

Mr. Ricciardi:

I'd like to thank my colleague, Councilman Dan Cohen, who reminded me that we requested certain information from the Director of Parks and Recreation on this bill have have not received it.

I'd like to make a motion to hold this bill for one week, please.

Michelle Madoff seconded the motion.

The Chair:

I'd also like to add to that, I believe Councilman Regan asked for some information similar to the Aviary, and we certainly would like that information also.

Michelle Madoff:

Point of Order, Mr. Chairman. I have before me a motion to be made by Mr. Ricciardi and it's an amendment to add on the Aviary. Wouldn't it be advisable to add it on before we hold the bill so that we have it included?

The Chair:

We could do that in Committee very easily.

Mr. Ricciardi:

If I may correct my statement. I apologize; I didn't mean to make a motion to hold for one week. I make the motion to recommit for tomorrow's meeting.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Regan presented

Bill No. 3327

Report of the Committee on Public Safety for October 24, 1991 transmitting two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3286

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title One - Administrative, Article VII - General Provisions, Chapter 171 - Fees, by amending Section 171.02 (Ordinance Number 9, effective March 26, 1981) - Fees for Emergency Medical Services."

Which was read.

Also,

Bill No. 3287

An Ordinance entitled, "An Ordinance providing that the minimum standard of pre-hospital emergency care provided by the City of Pittsburgh, Department of Public Safety, Bureau of Emergency Medical Services shall be advanced life support, by amending and supplementing the Pittsburgh Code, Title One - Administrative, Article III - Organization, Chapter 116 - Public Safety, by adding Section 116.03 - Standard of Care."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

Michelle Madoff

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 3328

Report of the Committee on Engineering and Construction for October 24, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3226

A Resolution entitled, "Resolution providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, to reimburse the City for a portion of the costs associated with the posting of weight limit signs as required on various City-owned bridges."

Which was read.

Also,

Bill No. 3227

A Resolution entitled, "Resolution amending Resolution No. 227, effective March 14, 1991, entitled 'Providing for an Agreement or Agreements, with a Consultant or Consultants, for Architectural and Engineering Services in connection with the Design of Holding Cells, Arraignment Court, and other functions for prisoner processing at the old Public Safety Building; and providing for the payment of the

cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$37,500.00, from \$140,000.00 to \$177,500.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 3332 Resolution appointing John N. Walluk, 12 Earle Drive, Binghamton, New York, 13903, as the Director of the Department of Public Works effective January 6, 1992.

Which was read.

The Chair:

I would ask that Mr. Walluk, with the

approval of all Members of Council, come in front of Council tomorrow.

Michelle Madoff:

So moved. He's in from out of town and you've got to get him while he's here.

Mr. Cohen seconded the motion.

Mr. Ferlo:

Opposed.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Mr. Chairman, my objection to having him come tomorrow is that I think we needed some more time to review some of the background material that was provided. Obviously, the gentleman has an impressive resume, but I would liked to have had an opportunity to review some of the information prior to him arriving first thing in the morning since we only really got this information late yesterday.

Obviously, a number of other Councilmembers have been made aware of the situation and it's quite obvious, politically, the Administration seems to have the votes on Council for his appointment which, obviously, I'm disappointed in. Mr. Norton had a very impressive resume also.

My main objection to his appointment, similarly, is that fact that I believe there are qualified people both within the City Administration, within that specific department, as well as others within the Greater Pittsburgh area, that could have been afforded an opportunity to fill this position.

My specific question in preparation for tomorrow is, I'd like to know who else was interviewed for this job by the Administration. If you could ask that information.

Michelle Madoff:

I believe all of us are meeting with the candidate and I'm sure that they would like to meet with you, Mr. Ferlo, and you could ask the same question because the Administration is there. How many were interviewed? My understanding is that I asked somebody already in the job in the Department why he didn't get it and he said he didn't want it, that 12 people had turned it down. It seems that the private sector dollars are so much higher than what the City can offer that we've had a number of people reject the opportunity. I think it's time to get on with hiring a Director.

On another subject. On October 22 and 23, with my assistance, this Council sent a group of 24 senior citizens, along with Councilman Gene Ricciardi, to Baltimore to visit their Office of Aging. The purpose of the trip was to investigate the possibility of implementing an Office of Aging here in the City of Pittsburgh.

The seniors are now in the process of preparing a report and I'd like to respectfully request that Council invite the seniors to present their report in a post agenda meeting with Council.

I would also like to request that representatives from Parks and Recreation and the Mayor's Office, particularly Joe Mistick or Sophie Masloff, be in attendance because the only way we're going to get an Office of Aging will be with the support of the Administration.

Incidentally, the seniors are not looking for money. They're looking for a desk, a secretary and a telephone. And if the

Administration doesn't do it, then I think when we get into budget hearings, somehow or other, we have to do it. I think we need to make that commitment. The seniors have given much to our community. The thing is that they're getting older but staying younger and they need services that are very different than they needed 20 years ago.

I would hope that the President would set up a post agenda and that we will move expeditiously to have the Administration work with us to indeed set up an Office of Aging.

The Chair:

Councilwoman Madoff, are you going to set one up?

Michelle Madoff:

I would assume that I would leave it in your hands or Mike Perry's.

The Chair:

Well, because it was your initiative on the bus trip, I would want to make sure that you would chair the meeting and I think we should take your lead on it.

Michelle Madoff:

Thank you.

I also will have, Bill Urbanic, you're listening, I hope, in my office, prepare resolutions to thank the leadership who went along and Gene Ricciardi, particularly, and PNB who supplied the money so they could stay overnight.

And I again thank the Members of Council for making the dollars, the \$2500 for the bus, available, and the lunch. You really did a tremendous job. Thank you so much.

The Chair:

So, you will let Mr. Perry know of a date that is convenient to yourself and all of Council.

Michelle Madoff:

Yes. We'll work it out. Thank you.

Mr. Regan:

Mr. President, several weeks ago you, as President of Council, asked Council to submit names for a Committee of Childhood Lead Poisoning. Invitations are currently being sent out to a number of candidates for this Committee. Today I will submit a statement demonstrating for the record the extent of this problem.

(REPORT SUBMITTED BY MR. REGAN)

October 29, 1991

**Childhood Lead Poisoning
In The City Of Pittsburgh**

Problem Statement

For submission to Council, City of Pittsburgh

I. Introduction

Lead as a toxic agent has been known to humankind since Biblical times. In recent years, physicians and scientists have concluded that lead contamination poses a serious threat to the health and normal development of young children. Some of the effects of lead exposure on young children and fetuses include reduced mental capacity, behavioral problems, and, at somewhat higher levels, coma and death. Unfortunately, the effects of lead exposure are thought to be permanent and irreversible. It is estimated that as many as one out of six children

in this country suffer significant impairment from exposure to lead. (1)

The sources of lead in the environment are everywhere, and include residue from the use of leaded gasoline, industrial lead pollution, lead in drinking water, pottery, cosmetics, crystal, packaging and lead-based paint. Although all of these sources present serious hazards, attention has recently focused on lead-based paint as the greatest contributor to injurious lead exposure among children. Lead-based paint was banned for most purposes in 1978, and the greatest concentration of lead-based paint is found in housing constructed before 1950.

The undersigned believe that the City should act now to prevent any further destruction of our greatest resource — human potential.

II. Toxic Effect of Lead

Lead in the human body is measured in micrograms per deciliter of blood (ug/dl). On October 7, 1991, in a publication entitled, Preventing Lead Poisoning in Young Children, the Centers for Disease Control reduced the "level of concern" for childhood exposure to lead from 25 ug/dl to 10 ug/dl. (2)

At higher levels, lead has an immediate and dramatic impact on human functioning. Symptoms include coma, seizures, and pronounced mental retardation. At lower levels, researchers have documented slower reaction time, reduction in intelligence and short-term memory, and adverse effects on a variety of other biological functions. (3) These effects are often "asymptomatic" and may not be obvious to parents and teachers, yet the loss of mental capacity may be far-reaching and is probably permanent and irreversible with potentially serious consequences for the affected child's entire lifetime.

Lead poisoning is the number one environmental problem among children in this country. (4) Although medical treatment exists for severe lead poisoning, there is no known treatment for lead poisoning after lead has been absorbed into the body's soft tissue. The scope of the problem is enormous and its effect on our society may be profound, but we can prevent and eliminate lead poisoning through public awareness, abatement and sensible legislation.

III. Sources of Lead in the Environment

The major sources of lead contamination are drinking water, contaminated soil and lead-based paint. Of these, the gravest danger is posed by lead-based paint, which is present in nearly every building constructed before 1950 and in many constructed after that time and before 1980.

Lead is absorbed into the body from exposure to lead-based paint most often through lead dust from deteriorating paint that contaminates household dust and soil. Although extreme poisoning is caused by the actual eating of paint chips and children chewing on surfaces covered with lead-based paint, poisoning usually arises from the ingestion of lead bearing dust that might be dispersed throughout a child's residence.

In the City of Pittsburgh, much of the housing was constructed before 1950, and nearly all before 1980. Many of these houses and apartment units are located in neighborhoods where the median family income is at or near the poverty level. Even under the best of circumstances, such housing is difficult to maintain, but poverty exacerbates the problem many times over. Lead levels exceeding 15 ug/dl may be as common as one out of two inner city youths. (5) Many of these children, already burdened by poverty, are being robbed of any chance they may ever have for success in an increasingly competitive world.

IV. Conclusion and Recommendations

Exposure to lead is a grave health problem affecting vast numbers of children. Many other cities and local authorities have taken steps to remedy the problem. Also, the United States Congress is considering comprehensive legislation aimed at reducing childhood and adult lead exposure nationwide. (6)

Council has an opportunity to make Pittsburgh a leader in the battle against childhood lead poisoning. Council has an obligation to put the City in a position to take maximum advantage of current funding and other grants that are likely to be forthcoming. (7)

Council should enact sensible legislation to prevent further damage to our City's young people. To that end, the Committee for the Prevention of Childhood Lead Poisoning should proceed with the following mandate:

1. Review the actions of other cities and local authorities.
2. Monitor state, federal and private developments and recommend action to allow the City to be first in line to receive grants for lead abatement and related activities and to raise revenue from other resources.
3. Review the building code, and in consultation with experts in the area, recommend changes that would reduce the amount of lead being emitted into the local environment.
4. Study real estate transfer in the City to determine whether real estate transfers should trigger notification, testing or abatement requirements.
5. Recommend a program for the licensing of lead testing and abatement professionals.

6. Propose an education and public awareness program that would make the public aware of the dangers of lead poisoning without inducing panic and that would offer practical suggestions for reduction of lead hazards in the home.

7. In cooperation with the ongoing efforts of the Allegheny County Health Department and others, promote widespread screening of young children for elevated blood lead levels.

8. Review the City's authority over day-care centers, pre-schools and other young childhood and infant programs with a view toward detecting unsafe levels of lead paint and dust and making abatement a condition for continued operation.

9. Assess the City's drinking water and recommend steps to make drinking water safer for children and pregnant women.

10. Advise Council on ways to prevent City tenants from adverse reaction to tenant complaints regarding hazardous lead conditions and to City and other government enforcement of new rules on reduction of lead contamination.

11. Propose a plan for cooperation between the City and affected businesses.

12. Review other approaches to reduction and elimination of childhood lead poisoning in the City and make appropriate recommendations to Council.

(1) U.S. Department of Housing and Urban Development, Office of Policy Development and Research, Comprehensive and Workable Plan for the Abatement of Lead-Based Paint in Privately Owned Housing - Report to Congress (December 7, 1990) (hereinafter cited as "HUD Report") at 2-6.

(2) The statement provides that "the scientific

evidence showing that some adverse effects occur at blood lead levels at least as low as 10 ug/dl in children has become so overwhelming and compelling that it must be a major force in determining how we approach childhood lead exposure.

(3) HUD Report at 2-3.

(4) Lead absorbed by the body also may present serious problems for the aged. In the aging process, lead stored in bones may be leached back into the system and contribute to senility and other age-related disorders. Pittsburgh Press, Concern over Effects of Lead Exposure Turns from Children to Senior Citizens (October 7, 1990) at p.1.

(5) Newsweek, Lead and Your Kids (July 15, 1991) at 44 (citing U.S. Public Health Service estimates)

(6) H.R. 2840 (July 10, 1991); S. 391 (February 7, 1991)

(7) For example, the Pennsylvania Legislature recently authorized \$1.5 million for lead abatement.

(END OF REPORT)

Mr. Regan:

My staff and the people on the Committee, Mr. Cohen's friend is Chairman of this Committee, and I want to commend him. He's doing a very fine job. And Jim Rooney has worked very hard out of my office on this.

This is a big thing nationwide and it's something that has really crept up on us and we really don't know how to handle it.

We have collected a number of experts that are heading up this Committee and I hope

and pray to God that the job they're going to do will help a lot of poor kids that would have never gotten help other than through this City Council.

Thank you, Mr. President.

The Chair:

Thank you, Mr. Regan.

Mr. Milliones:

I just want to support Councilman Regan's lead on this issue. It is a very important matter that we need to bring ourselves up to snuff in terms of City government relative to how we can deal with the tremendous risk that young people are exposed to from lead.

Mr. Cohen:

I also want to thank Councilman Regan for his leadership in this area. Councilman Regan has really convinced me that Pittsburgh could have a pilot program that could be the model for the nation on this issue. And we're lucky that we have one of the foremost medical experts in the country here that Councilman Regan brought before Council. And with the serious threat to the development of our children that this lead poses, it would be terrific if Pittsburgh could stand out as being on the cutting edge of this field. So, I want to thank Councilman Regan for doing that.

The Chair:

I would just like to add, on CBS News two weeks ago, Dr. Needleman was on to talk about the problem nationwide and it was refreshing to see that you, Councilman Regan, had Dr. Needleman in Council a couple months previously to talk about this issue and set up the Committee.

So, we are awaiting your full list of

people to sit on the Committee. Thank you.

Mr. Regan:

Thank you, Mr. President.

Mr. Ferlo:

Mr. President, on a separate matter, and I'm even hesitant to bring this up. But for the last year I have been communicating to the Administration privately by letter as well as talking over the phone and in person with various directors. It involves two issues, really.

One is the cleaning of the front of the City County Building, which is a mess. I think many of us have spoken about that in the past.

I've also raised an issue which is of concern with me, and it's solely an issue of safety, and that is the actual location of the Caliguiri statue. Specifically, the location of the statue from the point of view of people who are visually impaired and people who are without sight is definitely a hazard, especially the lower monument.

I have been asking very politely and very quietly for the last year for the Administration to take some safeguards. If they're going to keep the statue where it is, there should be some appropriate nice-looking banister constructed. I don't exactly know what, but whatever it is, that area should be quadrant off because right now it's just an accident and a lawsuit waiting to happen.

Personally, I feel very strongly that the lobby should be cleaned. The foyer coming into the City County Building, if it were cleaned, I would personally like to see the statue relocated to one of the sides. It's a natural backdrop to a statue and I think it's a more appropriate and safer place for the statue.

I would like to ask that we communicate to the Administration formally -- I'm raising this issue publicly only because I have been going nowhere fast for the last year, similar to your multi-year effort with getting the flagpoles installed. I think we need to state publicly our concern.

The Chair:

And you want to communicate that how?

Mr. Ferlo:

Send a letter to the Administration asking some consideration for providing safeguards if the statue is going to remain where it is, or possibly cleaning and relocating the statue in the main foyer and a more appropriate location, both aesthetically as well as from a safety point of view.

The Chair:

I agree on your point that the visually impaired on the steps do need some kind of notification, particularly in going down the steps, that the statue is there. I know they have treads that they can put on the steps or maybe some kind of railing that would not deter from the look of the statue.

I also am not pleased with the general conditions of the foyer and the cleaning of it. As a matter of fact, that actually deters from the statue and the whole ambiance of the entrance of the building, plaques on the walls, etc. And I also would like to see a joint effort between City and County government to enhance the visual look of the entrance of this building, not only on Grant Street but also on Ross Street.

So, I join you in your efforts to try to enhance the look of the building. And I think really what we should do here is to send a letter to

County government asking if they would jointly embrace a general cleaning effort and enhancement of the looks of this building and share the cost 50 percent because 50 percent of the building is owned by County government.

Mr. Ferlo:

Mr. Chairman, just to add, you wouldn't know it by looking at it and it didn't dawn on me until I looked at it, but the first floor 10 or 12 feet up is actually granite which, if it's cleaned and buffed, would be very similar in looks to the work that was just recently done on the Grant Building across the street. It has sort of lost its look over the years; it sort of blends in with the sandstone.

But I would ask that if we could take the leadership and do the front, maybe that would permit a little public pressure and embarrassment to the County to do the rear foyer.

But, in any event, the statue is a problem, it's location, and we really should combine it with a general effort to make the entrance of this building something a little nicer than what it is.

The Chair:

There are also some brass plaques around the entrance that are so weathered that you can't read them.

Mr. Cohen:

Mr. President, that's what I wanted to speak to, actually, a plaque with relation to the Caliguiri statue. I have asked several times when we're going to have a plaque there identifying the statue. The reason that it came to my mind is that several months ago I saw some people from out of town looking at the statue and trying to identify it. Somebody actually said, "I think that's Michael Dukakis."

That is a problem. We need to make sure that people who come in from out of town know who that is and what his contributions were to the City of Pittsburgh. So, we need to have a plaque there that says that Mayor Caliguiri was the architect of Renaissance II and what the years of his life were and the fact that he was Mayor of the City of Pittsburgh.

So, as a friendly amendment, I think we need to send a message by letter to the Administration to see that they do that quickly.

The Chair:

Maybe a plaque could be installed on a railing around the statue.

Mr. Ferlo:

The statue should be relocated to an appropriate place.

Mr. Cohen:

I disagree with Councilman Ferlo on that. I don't think the statue should be relocated. I'd be happy to have a railing there or something.

Mr. Ferlo:

It does not belong on the steps.

Mr. Cohen:

It's a beautiful statue and we should at least have something identifying it.

The Chair:

I want to state clearly also, that's not my intent here. It's to enhance the safety around the statue and identification of it.

Mr. Ferlo:

I'm not trying to be sacreligious; I'm trying to prove the aesthetics as well as the safety issue.

Mr. Regan:

I just would like to say that I commend my colleagues and I think that it should be really spic and span this year so it can look at good as The White House, The State Office Building and The City County Building when we put up the Menorah and the Christmas Tree.

The Chair:

Let me add one final note on the issue. With the filming of Lorenzo's Oil here recently, I think the front of the building was not cleaned appropriately. How we could follow up on that, Mr. Perry, I'm not sure, but we certainly bent over backwards to help in the filming of that movie in this room that we're all in and also in this building in general. And I think the front of the building in particular was not brought back to the state in which it was prior to the start of the filming.

Mr. Regan:

On another issue. I'd just like to thank the Mayor of Atlanta and all the Councilpeople in Atlanta for the terrific treatment that they gave Dr. Jake Milliones and myself. You would have been proud of Jake swinging that mop down there; I never thought I'd see Jake do that but we both pitched in. They had a food fight before we got to the homeless shelter and we cleaned that wall off for them, mopped a few floors and picked up a lot of refuse.

They treated us exceptionally well and I'd like to ask you to ask Mr. Perry to send a letter to the Mayor, Maynard Jackson, and all of Council for the treatment and tell them that we commend

them for a great year in baseball.

The Chair:

Will do.

Mr. Ricciardi:

Mr. President, just on that note, I have always said that no one has promoted the City of Pittsburgh better than Councilman Baldy Regan. When I was in Baltimore with the seniors, on the news was our Pittsburgh Councilmen in Atlanta. And again, it was good for the City of Pittsburgh because they showed a picture of the City of Pittsburgh, Downtown Pittsburgh. So, this gentleman on my right has continued to promote

the City of Pittsburgh throughout the nation.

The Chair:

We need a motion to adjourn this meeting and meet again on Monday, November 4, 1991 at 2:00 p.m.

Mr. Ferlo:

So moved.

Mr. Cohen seconded the motion.

And on the motion of **Mr. Ferlo**

Council adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Monday, November 4, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presented

No. 3333 Resolution providing for the transfer of funds totalling \$20,000.00 to Supplies and Materials, Code Account 1172, Dept. of Environmental Services from Workers Compensation, Code Account 1927-9, Dept. of Water. This transfer is necessary to continue to cover the cost of uniforms until the end of the year. This Resolution will be effective upon the Mayor's signature.

Which was read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 3334 Resolution amending Resolution No. 153, effective March 8, 1991 entitled "Resolution providing for an Agreement or Agreements with Larimer-Lincoln Revitalization Corporation for operating and/or administrative assistance in carrying out various community economic, or social activities, at a

cost not to exceed \$2,000.00, chargeable to and payable from code Account No. 1103, Misc. Services, Dept. of City Planning", so as to correctly identify the organization's title.

Also,

No. 3335 Resolution amending Resolution No. 500, eff. May 30, 1991, entitled "Resolution providing for an Agreement or Agreements with Women's Center and Shelter, an organization that provides counseling and information for the low-income women experiencing domestic violence problems, in an amount not to exceed \$12,000.00", so as to increase the amount appropriated from \$12,000.00 to \$14,111.00, chargeable to and payable from the 1991 Community Development Block Grant Program - City Council - "Women's Center and Shelter".

Also,

No. 3336 Resolution amending Resolution No. 498, eff. May 30, 1991, entitled "Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for assistance in carrying out their "adopt a lot" program in an amount not to exceed \$22,888.00", so as to increase the amount appropriated from \$22,888.00 to \$29,499.00 and expand their scope of activities to include administrative assistance for Neighborhood Revitalization. Chargeable to and payable from the 1991 CDBG Program - City Council - "Spring Garden Neighborhood Council, Inc.".

Also,

No. 3337 Resolution amending Resolution No. 546, eff. June 5, 1991, entitled "Resolution providing for an Agreement or Agreements with the Vietnam Veterans' Leadership Program for support of their

counseling services to homeless veterans at a cost not to exceed \$17,000.00," so as to increase the amount appropriated from \$17,000.00 to \$22,111.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Vietnam Veterans' Leadership Program".

Also,

No. 3338 Resolution amending Resolution No. 545, eff. June 5, 1991, entitled "Resolution providing for an Agreement or Agreements with the St. Clair Athletic Association for rehabilitation of their Senior Center in an amount not to exceed \$9,478.00", so as to increase the amount appropriated from \$9,478.00 to \$10,478.00, chargeable to and payable from the 1991 CDBG Program - City Council - "St. Clair Athletic Association".

Also,

No. 3339 Resolution amending Resolution No. 495, eff. May 30, 1991, entitled "Resolution providing for an Agreement or Agreements with Mom's House to purchase a building and provide administrative assistance with their services for Unwed Mother's Program in the amount not to exceed \$6,388," so as to increase the amount appropriated from \$6,388.00 to \$11,388.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Mom's House".

Also,

No. 3340 Resolution amending Resolution No. 489, eff. May 30, 1991, entitled "Resolution providing for an Agreement or Agreements with the Hazelwood-Glen-Hazel-Glenwood Citizens Council for administrative assistance at a cost not to exceed \$5,000.00", so as to increase the amount appropriated from \$5,000.00 to \$8,000.00, chargeable to and payable from the 1991 CDBG Program - City

Council - "Hazelwood-Glen-Hazel-Glenwood".

Also,

No. 3341 Resolution amending Resolution No. 529, eff. June 5, 1991, entitled "Resolution providing for an Agreement or Agreements with the Greenfield Organization for administrative support in operating programs serving elderly and low income residents in an amount not to exceed \$9,000.00", so as to increase the amount appropriated from \$9,000.00 to \$12,000.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Greenfield Organization".

Also,

No. 3342 Resolution amending Resolution No. 487, eff. May 30, 1991, entitled "Resolution providing for an Agreement or Agreements with Garfield Jubilee Association for administrative/operating support for their Community Maintenance Program in an amount not to exceed \$5,000.00", so as to increase the amount appropriated from \$5,000.00 to \$9,111.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Garfield Jubilee Association".

Also,

No. 3343 Resolution amending Resolution No. 484, eff. May 30, 1991, entitled "Resolution providing for an Agreement or Agreements with Elder-Ado, Inc., for administrative-operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$15,000.00", so as to increase the amount appropriated from \$15,000.00 to \$17,000.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Elder-Ado".

Also,

No. 3344 Resolution amending Resolution No. 527, eff. June 5, 1991, entitled "Resolution providing for an Agreement or Agreements with Friendship Development Associates, Inc., for administrative/operating support of their "Housing Information Program" in an amount not to exceed \$5,888.00", so as to increase the amount appropriated from \$5,888.00 to \$8,888.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Friendship Development Associates, Inc.".

Also,

No. 3345 Resolution amending Resolution No. 519, eff. June 5, 1991, entitled "Resolution providing for an Agreement or Agreements with Arlington Heights Residents Council for administrative/operating support, in an amount not to exceed \$5,000.00", so as to increase the amount appropriated from \$5,000.00 to \$6,111.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Arlington Heights Residents Council".

Also,

No. 3346 Resolution amending Resolution No. 520, eff. June 5, 1991, entitled "Resolution providing for an Agreement or Agreements with the Beltzhoover Neighborhood Council for administrative assistance in operating its Services in an amount not to exceed \$8,422.00, so as to increase the amount appropriated from \$8,422.00 to \$9,422.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Beltzhoover Neighborhood Council".

Also,

No. 3347 Resolution amending

Resolution No. 522, eff. June 5, 1991, entitled "Resolution providing for an Agreement or Agreements with the Bidwell Education, Music and Recreation Center for the rehabilitation of their facility for use as a multi-purpose center, at a cost not to exceed \$18,888.00", so as to increase the amount appropriated from \$18,888.00 to \$23,699.00, chargeable to and payable from the 1991 CDBG Program - City Council - "Bidwell Education, Music and Recreation Center".

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 3348 Resolution transferring the sum of \$250,000.00 from Code Account 53, Debt Service - Auditorium Authority of Pittsburgh and Allegheny County to Code Account 57-1, Retirement Severance Pay - Sick Leave, Dept. of Finance. The current year Budget appropriation has been exhausted, and there are several mandatory Police retirements due and a number of regular retirements anticipated before year end that make this transfer necessary.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 3349 Resolution amending Section

1(a) of Resolution 564, approved July 17, 1989, and amended by Resolution 844, approved October 27, 1989, entitled: "Authorizing the implementation of an employee Tuition Reimbursement Program for the City of Pittsburgh," by reducing the rate of reimbursement to fifty percent (50%).

Also,

No. 3350 Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and Urban Development, for a grant or grants in connection with Referral of Housing Discrimination Charges (and related activities), HUD/FHP Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the HUD/FHP Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; maintaining a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account.

Also,

No. 3351 Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission, for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-706, Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the EEOC-706 Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; maintaining a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account.

Also,

No. 3352 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 3353 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presented

Bill No. 3332 Resolution appointing John Wolick as the Director of the Department of Public Works effective January 6, 1992.

Which was read.

The Chair:

You've heard the reading and title of the appointment. Is there any discussion?

Mr. Ricciardi:

Thank -you, Mr. President. With respect to the nomination appointment before us, I must admit as we enter a difficult time in city government that I was skeptical of the idea of bringing in a new Director of Public Works from out of state, particularly when the job had been vacant for nearly six months. There are a number of in-house candidates for this position who know Pittsburgh and know the job well.

Certainly, we all know extremely competent people like Sam Tiglio who have outstanding credentials in the field of maintenance and public infrastructure. Furthermore, as my colleagues know I take the nomination process very seriously. They will recall that in the past I have voted not to confirm two city department directors and a planning commission member. As it was with those nominations, my vote today is based on the nominee's merits.

In meeting the nominee privately and observing his demeanor and professional command during last week's interview I was quite favorably impressed. I like his style and I think he has what it takes to be a successful leader in the Public Works Department. I was pleased with the acute sensitivity he displayed toward the people who worked for him. While it is often easy to take the city laborer and asphalt crews for granted, I got the strong sense that our nominee understands and respects the important contributions of all his employees. For these reasons Mr. Wagner, I am prepared to support the nominee before us today. He will serve our city and his new home with honor and distinction. Thank you.

The Chair:

Thank you. Councilman Ferlo.

Mr. Ferlo:

Mr. Chairman, I think all of Pittsburgh should be outraged at the fact that this gentleman has been appointed to be the Director of Public Works, and that in no way is casting anything regarding his qualifications. The basic fact of the matter is that given the state of this administration and what I would consider poor management, especially the resources that this Council has given this administration and given the fact that there are a lot of problems regarding delivery of services to city residents, the last thing that we

need is a young man from Binghamton, New York that's going to take the next two to three to five years to find his way around the city.

Obviously he seems in appearance in terms of his resume, he seems to have a varied background, be it planning, development, engineering-construction or architecture, I resent the fact, and I think a lot of Pittsburghers resent the fact that there are able and qualified and experienced administrators both within the department as well as people in the Pittsburgh area that could have been afforded an opportunity to fill that important position. The fact of the matter is and I don't believe that we have gotten that information unless Mr. Perry has it, I did ask for information regarding who all was interviewed during the interview process for the position of Public Works, I don't believe we got any such list. It's ridiculous to say that Mr. Tiglio was offered the job, the fact of the matter is that he was ignored throughout the process and then only later on when it became clear that their intentions to hire someone from out of town was not coming to fruition, they said; 'Oh, Sam, by the way, would you like to take this job?', at that point my understanding is that he said; 'Thanks, but no thanks'.

I think that there are a lot of competent people that should have been considered and can hit the ground running which is somebody that we need. And I am personally outraged and livid over the fact that somebody from Binghamton, New York is going to get a \$65,000.00 a year job, a car and going to take five years to learn the city.

Michelle Madoff:

I would be outraged myself, except that if anybody bothered to find out what the facts were — I spoke to Sam Tiglio and I said, "Sam, you are my candidate". And Sam said, "I'm going to be out of here in a couple of years, I'm going to retire", and Turner confirmed that. He's thinking

of retiring. It's not a job for somebody Sam's age or my age, it's for somebody that's going to be here a long time.

I also suggested Alex Sciuilli, he made director of a number of departments with deputies under him and Sam would be the deputy in Public Works. Sam said no he didn't want that. Now whether he's saying it or not because he means it or because he's being forced to say it, I don't know, but you can't put somebody in who's not willing to take the job for whatever reason. And if you look back at the history of what's gone on in Public Works and I am unfortunately the person here who speaks out and tells it the way it is in the sense that we all know what's happened. We know that a number of people have been offered the job. They've looked for people locally, a number of people have said that they would take the job and copped out at the last minute because they felt that \$60,000.00 was not enough money and they could earn a lot more in the public sector. You need somebody who is willing to forfeit the additional dollars one can earn in the public sector and likes to work in government. And if my memory serves me well, when I said to Sam, "Why don't you take the job?", he said, "I wouldn't take it for anything," I said, "Why not?", he said, "I don't want to be the twelfth choice." Now it may not have been twelve, but there were certainly a number of them.

And when we finally get somebody who is willing to take it, who is eminently qualified and I think we ought to be happy to have somebody of that caliber. And to just reiterate and make it perfectly clear, sure we'd like to have somebody locally, sure we'd like to have somebody in-house because we don't want to discourage someone from feeling if they work hard they can better themselves, but we have to deal with reality. And the reality is that this is the first person qualified that is ready to take the job.

The Chair:

Any other comments on Mr. Wolick's appointment?

Mr. Regan:

I just wanted to say that I disagree with my very beautiful colleague.

Michelle Madoff:

If you say that you can disagree with me.

Mr. Regan:

That's not a sexist remark, that's a compliment.

Mr. Ferlo:

I bet you didn't disagree with me.

Mr. Regan:

I just think it's just like saying do you want to be President of Council or do you want to be President of the United States, I'm sure Sam Tiglio would be glad to have that job. We've laid people off in the city and we have a lot of qualified engineers in the city, in the county and surrounding areas and I cast my ballot with Sam Tiglio. And I'm going to vote no. It's nothing personal, I think the guy is well qualified. He's a very attractive guy and I'm sure that anybody that he represents that he would make them look good, but I feel that it goes further than just the qualifications.

The Chair:

Any other comments on Mr. Wolick?

Mr. Ferlo:

Mr. Chairman, I want to point out to the public that unless some Councilmembers are privileged to some information which I'm not, which may be the case, or unless some Councilmembers were privileged to be part of the interviewing process, which I don't believe is the case, I don't know that we have any firsthand information regarding who all was interviewed, the number of people, who expressed an interest, all of which is information I've requested which I think is perfectly legitimate as a part of Council's duty to provide oversight and to judge this candidate as weight against other potential applicants. None of that information has been available. So it's ridiculous to say about the situation with Sam Tiglio and it is ridiculous to say that other people expressed an interest, but they weren't hired or that they lost interest because of the money, that's just hogwash.

Michelle Madoff:

I have a comment, Mr. President. It is not hogwash. I went over and asked the question. I don't know if my colleague, Mr. Ferlo went over and asked what is happening, why haven't we got a director? I don't think it was a secret. It is public information if you requested that information that they have been interviewing, that's their prerogative, we don't do the hiring, that's not our role as Councilmembers. We're legislators, we're not administration, we don't hire and administer the city's operation. And I was told that a number of people had applied and every time we were about to confirm that person said I found another job, I don't want it, I don't want a change or something happened. And we can't sit here forever without somebody in charge of Public Works and furthermore I think all of us were enamored of Lou Gaetano. I thought he did a phenomenal job, but he went on to something else. I just think it's unfair of playing the game of we want to keep somebody in the city because we're really for you people of the city when the reality is that there is somebody that has applied

for the job who is eligible to fill that seat or that position.

The Chair:

Roll call vote on Mr. Wolick's appointment.

Mr. Ferlo:

We'll never know that Mr. Chairman.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES 2

VOTING NO:

Mr. Ferlo
Mr. Regan

And a majority of the votes of Council being in the affirmative, the appointment passed finally.

The Chair:

The appointment having received the legally required number of votes is approved.

Therefore, Mr. Wolick is the new Department of Public Works, Director.

REPORTS OF COMMITTEES

Mr. Milliones presents

Bill No. 3354

Report of the Committee on Finance for October 30, 1991 transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3236

A Resolution entitled, "Resolution providing for the issuance of a warrant to Martin J. Horgan in the amount of Four Thousand (\$4,000.00) Dollars in full settlement of a claim for damages and providing for the payment thereof."

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Felo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3271

A Resolution entitled, "Resolution transferring the sum of Eighty Thousand (\$80,000.00) Dollars from Code Account 47, Personal Leave Buy Back (004705) to Code Account 44-1 Unemployment Compensation Fund (004416), Department of Finance."

Which was read.

Mr. Millions:

Mr. President, move to have Bill 3271 effective upon the signature of the Mayor

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Felo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3273

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1413 of 1990, effective January 1, 1991, as previously amended by Resolution No. 408 of 1991, effective May 10, 1991 entitled, 'Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1991,' by including certain trust funds and trust fund detail."

Which was read.

Also,

Bill No. 3274

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1414 of 1990, effective January 1, 1991, as previously amended by Resolution No. 407 of 1991, effective May 10, 1991 entitled, 'Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting the minimum levels for designated positions' by making certain additions to include certain positions in Trust Funds."

Which was read.

Mr. Ferlo:

Mr. President, I would like my comments brought forward on Bill Nos. 3373 and 3274.

This is on the proposal by the Administration that create various trust funds. I stand in opposition. I think there's a radical

difference between the creation of trust funds as is proposed for various parks, facilities, be it Phipps, or the Aviary, or the Zoo and using that as a way of segregating out income that's generated or created as a result of these ancillary types of activities. But, to create trust funds in the area where basic city services are provided I think is a bad strategy and a bad administrative policy. In the area of Animal Control there is never necessarily a direct relationship between the amount of money that we collect in Animal Control and the need to provide that service regardless of what that amount of money might be. It's the same thing with the swimming pool situation. I think that we have a commitment to provide the operation of swimming pools throughout the city.

The fact that we have trust funds and collect fees is secondary to the actual operation of those activities. I distinguish basic services, that is our obligation to provide versus having trust funds for the asphalt plant or the Zoo or the Aviary which I think is separate and distinct. So I am voting no on that reason.

And on the JTPA rent situation on the South Side, Bill 3318, if I ever saw a sweetheart deal it certainly is one with the Gustine Company for a two year rent on Carson Street, \$175,000.00, I am voting no. I think this office should be provided in either a public building, the City-County Building or I know Director DiNardo is negotiating, and we've made a commitment to purchase part of the upper floors of 200 Ross Street, that's money that we could collect back to city government to help us pay for the overhead of any repairs and renovations to 200 Ross Street, which we are considering purchasing. So I stand in opposition to that. Expenditure, just because it's federal dollars it doesn't mean that we can be extravagant. We should take that money and reimburse the operations of city government.

Mr. Cohen:

Thank you, Mr. President, I would just like my comments to be brought forward on two bills, that's Bill Nos. 3273 and 3274, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. FERLO AND COHEN'S COMMENTS ON BILL NOS. 3273 AND 3274, WEDNESDAY, OCTOBER 30, 1991)

The Chair:

Specific questions, please.

Mr. Ferlo:

Could you explain the difference -- what's the difference between having the trust funds for whatever reason, either a trust fund was created originally because it had to be segregated out in terms of dedicated -- for instance, a lot of times we create trust funds because of the source of money coming from the feds or the state or what have you. Most of these are trust funds that were created as a result of local revenue being generated either through the sale of asphalt or fees at the swimming pool or what have you. What is the difference between taking that money out at the end of the year and putting it back into the General Fund and maintaining the positions budgeted in the operating budget versus what you are doing.

Mr. Turner:

There would be two major differences. In the one case in some of the cases for example the Zoo Trust Fund, people will contribute to the Zoo and through the use of a trust fund there's an incentive to do that. Whereas, to contribute to the City which is running the Zoo, you have a much harder time. But I think the bigger issue is there is a tremendous incentive especially in entities like the Zoo, the Aviary, the skating rink, where you're trying to have them fund themselves. There's an incentive for the employees themselves to do a better job to bring in more funds knowing that their position is funded out of those funds. The private sector emphasis on benefiting oneself is a very strong reward and inducement. We have seen that over the year whereas over the years when the employees see that they benefit directly from it, it makes all of us a little better and work a little harder.

Mr. Ferlo:

That's my fear. It smacks of zero-based budgeting. Are you inferring that if moneys are not generated in these respected code accounts and it's questionable as to whether or not those positions will continue to be funded? Because I see a difference between revenues received at the Zoo being generated and then going back specifically for all costs associated with the Zoo, be it non-personnel or personnel. I don't necessarily object to that but I see a difference between a basic provision on animal control provision versus something that's more ancillary in

terms of the Zoo or the swimming pool or the skating rink. I see it in the same category as the Zoo as opposed to the asphalt reimbursement or as opposed to the animal control. At some point proceeding along your logic you're saying to let's create an environmental trust fund to pay for salaries --

Mr. Turner:

-- and many places do that but we're not proposing that.

Mr. Ferlo:

What is the policy? Through the back door you're inferring and setting a policy here. I'm not saying it's a bad intention, I'm saying the nature of your actions are such that you're setting a policy change here. It's not just a simple bookkeeping matter.

Mr. Turner:

I agree, this is more than a simple bookkeeping matter. The first part of your question. We believe that all of these trust funds with the exception of the Aviary which we've talked about really only has funding into the spring, that every position moved into the Trust Fund is certainly absolutely rock solid through 1992. However, it is accurate to say that if we're unsuccessful in doing this, if it doesn't work out the way that we hope it will, in the future there will have to be other reductions. It does not mean that it will have to be these positions but would there have to be other reductions, yes, because then to the extent the Trust Fund won't carry them, the General Fund will and General Fund dollars are not unlimited. So it would not necessary be these particular positions but there would be positions and we are trying to create an incentive wherever we can, especially for entities which charge fees, which can hold events, which can bring in some money in which the public satisfaction determines if they --

Mr. Ferlo:

-- but in terms of just the actual dollars, the availability of dollars versus the expenditure for the personnel costs associated with those activities. Just on the issue of the actual dollars, there's really no difference here. There's no difference between posting at the end of the year that revenue from these various trust funds and putting it back into the General Fund and then budgeting in future years based -- listing as revenue, on the revenue side, that anticipated income from those respective trust funds. Objectively speaking there's no money difference here.

Mr. Turner:

For the first year I agree with you, there would be no difference.

Mr. Ferlo:

Before I can vote for this I wanted to know what is the difference between the accepted revenue per year in these respective trust funds and what do you anticipate as the actual expenditure? Are you creating a situation where you're actually jeopardizing those positions and we're buying into further cuts?

Mr. Turner:

I've tried to be crystal clear both privately and publicly.

Mr. Ferlo:

You said one person from Animal Control --

Mr. Turner:

-- that's all we're planning on putting into that trust fund. My whole statement was that the legislation permits up to six but we do not plan on putting six into there at this time. Right now it looks like one position.

Mr. Ferlo:

What is the relationship specifically between the amount of money either real or anticipated respectfully in each one of these trust funds versus the obligation to pay whatever personnel it is you're proposing be paid out of those respective trust funds? Is it a wash?

Mr. Turner:

I'm sorry, one more time.

Mr. Ferlo:

I want to know if the money -- right now the money available on the operating budget is available to pay for these various positions that we've budgeted.

Mr. Turner:

Except it's not, that's the point.

Mr. Ferlo:

-- we don't know that, you've never given us a statement saying there's a \$35 million deficit. You've never given that information to Council other than having press conferences and meeting with editorial boards. I don't know that you've ever given us any information regarding our current financial situation.

Mr. Turner:

I have met personally with seven of the nine Councilmembers --

Mr. Ferlo:

-- do you have anything in writing?

Mr. Turner:

-- can I finish my statement please?

Mr. Ricciardi:

Point of order. I'm willing to listen to my colleague also but if he will I would also like to hear the Director, so maybe if we could have one speaker at a time.

Mr. Turner:

I have met with seven of the nine members and the Finance Director met with the two other Councilmembers to go over the revenue and expenditures in detail and where the \$35 million problem came from and how it originated and what happened, I'm sure most of you remember, I will be happy to do that again, Point No. 1.

Point No. 2, I believe your budget office is also well aware of this and we'd be happy to go through it with anybody that cares to.

Point No. 3, we have never met with the editorial boards on this topic.

Mr. Ferlo:

My question to you again, do you have anything in writing regarding the current financial situation?

Mr. Turner:

Would you like me to give you something in writing?

Mr. Ferlo:

Yes.

Mr. Turner:

I will give you something in writing.

Mr. Ferlo:

Regarding dollars.

Mr. Turner:

Yes.

Mr. Ferlo:

And not policy of what you are going to do.

Mr. Turner:

Not policy, dollars, and it will show what will happen if we do nothing.

Mr. Ferlo:

Can you give us an understanding as to what you anticipate -- if voting for these pieces of legislation, what amount of money do you anticipate respectively in each one of those trust funds and correspondingly, what is the amount of money needed to pay for those costs?

Mr. Turner:

I believe your budget office now has that from us.

Mr. Ferlo:

Thank you very much.

Mr. Cohen:

Mr. Turner, on the bills in front of us, I think it would be easier to treat this themematically, okay. You have many bills here that deal with these topics: The Zoo, Animal Control, Asphalt Reimbursement, Ice Skating Rink, Swimming Pools, Phipps and the Aviary. Let's pull out the Zoo, Aviary and Conservatory for a moment because I'm just going to focus on Phipps because I think, and correct me if I'm wrong, I think the Zoo relative to the other two is on pretty good financial footing, the Aviary we've heard a lot about --

Mr. Turner:

-- I wouldn't put it that far.

Mr. Cohen:

There's a longer period of time before the time bomb comes.

Mr. Turner:

Yes.

Mr. Cohen:

Why don't I ask you that first. How long a time do you think given the move that you're asking us to make today, the moving of personnel into the Zoo Trust Fund, how much time will they have before that bomb goes off?

Mr. Turner:

Let me just preface that by saying it is no secret, everyone at this Council is aware of it that as long as the City of Pittsburgh has no regional revenue, one of the few central cities in the country without any type of sizeable, regional revenue and still is expected to provide substantial regional expenses, we have a problem. That problem has remained unchanged for a long time. If certainly by the end of 1993 and in the 1993/94 time frame we will continue to struggle annually, financially which we have done successfully but it's not easy as you know but certainly in that time frame something is going to have to give.

Mr. Cohen:

I definitely agree that in terms of the larger picture that has to be done. Let's look at the smaller picture for a moment. I mean, there's a larger picture but unless the State Legislature and the County give us the opportunity to shift some of this burden, then we're going to be in a bad position so I want to see how bad a position we're going to be in. Time frame on the Zoo again?

Mr. Turner:

Let me phrase it this way. I believe we have to take action on the Aviary in 1992, Phipps in 1993 and probably the Zoo in 1994.

Mr. Cohen:

Are there discussions -- I'm on the Phipps Task Force so I know that there's some discussions there but are there

discussions and plans being drafted with the Friends of the Zoo and with the Phipps people on finding alternative revenue sources to make them work?

Mr. Turner:

There have been ongoing discussions, there have been items that the Friends' groups have done, there have been discussions with the Allegheny Conference and other interested entities. Yes, there are active discussions.

Mr. Cohen:

By doing what you're asking us to do today, we'll be moving positions into this trust fund and each of those trust funds are going to have to find alternate sources of revenue for them to continue to exist.

Mr. Turner:

Absolutely.

Mr. Cohen:

On the other ones -- this is really a follow-up to Councilman Ferlo's, as what for reimbursement, animal control and to a certain extent, swimming pools, why are those done as a trust fund? Why are we making that budget change now? It doesn't seem to have the same rationale behind it as the Zoo, Aviary or Conservatory.

Mr. Turner:

Actually it's because of the efficiencies associated with it we think that it makes sense. So for example, in the Asphalt Reimbursement Trust Fund, it's really the people out in the field that keep track of the sale of asphalt to our authorities or the sale of reclaimed to the various entities that they are permitted to do. They're the ones that follow the billing. They're the ones that make sure that folks are billed properly. And when they see that the money is going back in for their useage, whether it's personnel costs to pay their salaries or to improve the asphalt plant or to maintain it. When there's a direct relationship between the bringing in the money and the spending, there's simply a lot more interest and that's simply human nature and we think it's a lot more efficient to do it that way.

Mr. Cohen:

Okay. I can support these and I think it makes sense from a budget point of view. I think you've pointed out what the budget benefits are but let me leave you with a strong, strong

recommendation, in fact a necessity, and that is with respect to the Phipps Conservatory and Zoo, to sit down earlier and come up with a concrete plan that we obviously are an important party to these discussions. I know you have had discussions already but to come up with a concrete plan that yes we are being left in the lurch by the County and by the State but we can't let those facilities go under, we just can't, so if we have to turn over new stones and do whatever necessary to come up with a concrete plan until we get some kind of regional authority, we have to do it.

Mr. Turner:

We're trying.

Mr. Cohen:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5 NOES 3

VOTING NO:

Mr. Cohen
Mr. Ferlo
Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3249

A Resolution entitled, "Resolution authorizing the Director of Finance to issue and the City Controller to countersign a warrant in favor of vested employees for the payment of unused sick time. --- (SPONSORED BY MR. COYNE)

Which was read.

Also,

Bill No. 3250

A Resolution entitled, "Resolution providing for the transfer of funds totaling One Hundred and

Fifteen Thousand (\$115,000.00) Dollars from Code Accounts: 1148, Index Code 114801 (\$90,000.00) and 1150, Index Code 115006 (\$25,000.00) to Code Account 1144, Index Code 114405, Fuel. All Code Accounts are within the Bureau of Fleet Management, Department of General Services.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3258

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Burton Signs & Specialties, Inc. in the amount of Fourteen Thousand Four Hundred Sixty Nine Dollars and Seventy Two Cents (\$14,469.72) for flags and banners used in the Desert Storm Welcome Home Parade on June 15, 1991, without previous authority of law; chargeable to

and payable from Code Account 1612, Materials, Index Code 161208."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3269

A Resolution entitled, "Resolution providing for the transfer of funds totalling \$87,500.00 from Code Account 1922 (192203) Miscellaneous Services, Department of Water, as follows: \$21,500 to C.A. 1132-5, (113258) Radio Improvements, Department of General Services; and the transfer of \$66,000 to C.A. 1132-2, (1132-25) Telephone Expense, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3275

A Resolution entitled, "Resolution providing for the issuance of a \$4,096.88 warrant in favor of Daniel E. Bonner, c/o Daniel F. Cusick, Esquire, Mansmann & McArdle, 220 Grant Street, Pittsburgh, PA 15219, in full and final settlement of an accident between a City vehicle and the Plaintiff."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

(MR. COHEN ABSTAINED)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3276

A Resolution entitled, "Resolution transferring the sum of Fifteen Thousand Dollars (\$15,000.00) from Code Account 30, Refunds and Interest all other Taxes, (Index Code 003004) to Code Account 43-1 Refunds-Fines, etc. (Index Code 004317), Department of Finance."

Which was read.

Also,

Bill No. 3277

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 3278

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 3279

A Resolution entitled, "Resolution repealing Resolution No. 606, Item J, effective July 29, 1988, which authorized the sale of vacant lots, 32-E-pt. 293 and 32-E-295, St. Lucas St., a/k/a Horn St., Mt. Oliver Borough, to Thomas J. Friend and Dolores J. Friend, his wife, for the sum of \$1,000.00, as it was discovered through the title search that the City does not have marketable title to the property as originally submitted and to refund the hand money in the amount of \$200.00 to the purchasers."

Which was read.

Also,

Bill No. 3281

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 261, "Personal Property Tax", Section 261.07, "Tax Payment and Collection", subsection (a), by changing the due dates for remittance of the Personal Property Tax."

Which was read.

Also,

Bill No. 3282

An Ordinance entitled, "An Ordinance amending

the Pittsburgh Code, Title Two, "Fiscal", Article VII, "Business Related Taxes", Chapter 251, "Occupational Privilege Tax", Section 251.03, "Collection Through Employers", by eliminating the two percent (2%) collection fee for employers."

Which was read.

Also,

Bill No. 3283

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article VII, "Business Related Taxes", Chapter 241, "Amusement Tax", Section 241.05, "Collection and Payment of Tax", subsections (a), (d) and (f), by eliminating the two percent (2%) discount for collection and revising the due date for remittance to the Treasurer."

Which was read.

Also,

Bill No. 3284

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article VII, "Business Related Taxes", Chapter 249, "Mercantile License Fees and Tax", Section 249.02, "License Required; Fee, Issuance and Posting", by increasing the mercantile license fee."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3292

A Resolution entitled, "Resolution providing for a warrant in favor of Public Strategies, Inc. in the amount of \$1,600.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of October, 1991, payable from CA 1001-2, City Council (District 3)."
---(SPONSORED BY MR. RICCIARDI)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3293

A Resolution entitled, "Resolution transferring the aggregate amount of \$267,324.06 from various code accounts to Code Account PZTF, Pittsburgh Zoo Trust Fund in the Department of Parks and Recreation."

Which was read.

Michelle Madoff:

Yes, on the Zoo. On Bill 3293. If there has been a proponent of privatization and user fees for the Zoo, the Aviary and the Phipps Conservatory, I think we all agree it has been Michelle Madoff. But, nobody including myself would want to shut down the Aviary or the Phipps Conservatory overnight and say that's it. You put people on notice, you do it in a responsible way, and you try to give them aid and help so that the private citizens can survive and carry on these wonderful facilities. And I think that's what is happening here. The administration is finding trust funds so that we don't fire those people, so we buy some time, so we have the opportunity to save the facilities and I think that with all due respect to my colleague Mr. Ferlo, he has represented this inaccurately.

Mr. Ferlo:

Mr. Chairman, apparently I didn't make myself understood. Michelle characterized my comments completely contrary to what I said. I said in fact, I did not object to the creation of trust funds for the ancillary services such as the Zoo,

the Aviary and Phipps. I do debate the wisdom of creating trust funds for the operation of basic city services, such as Animal Control and the swimming pools and those things of that sort.

Mr. Milliones:

Call the question, Mr. President.

Also,

Bill No. 3316

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 814 of 1991 entitled: 'Providing for an agreement or agreements with an independent accounting firm to perform the annual audit for the City of Pittsburgh for a period of three years and providing for the payment of the cost thereof.' by increasing the amount of the contract by \$21,000 per year."

Which was read.

Also,

Bill No. 3317

A Resolution entitled, "Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of the statewide on-line computer system cost for the period July 1, 1991 through June 30, 1992. The total of the warrants will not exceed Twenty-One Thousand Six Hundred Sixty Dollars (\$21,660.00)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3318

A Resolution entitled, "Resolution providing for the lease or leases of certain property on the second floor of 1700 East Carson Street from November 1, 1991 for a term of 24 months, at a rental of \$7,252.67 per month, for classroom and office space upon certain terms and conditions, and providing for the payment of costs thereof. Total costs shall not exceed \$174,064.00."

Which was read.

Michelle Madoff:

Mr. President, I must confess with all that went on the other day with the very lengthy hearing session, I am a little confused and perhaps somebody can enlighten me on Bill No. 3318. I am really confused about that monthly payment. What is it? The number of feet? What that works out to and why are we doing this? Why do we need that much space? Why don't we take one of our own older buildings in our own housing stock and redo it? I've talked about that

for years. This is over \$1 million a year that we spend in rentals. It has nothing to do with the people that we are taking it from, I don't care who it is. We talk about \$1 million in rentals and we own all of this housing stock. And I've offered to show Council 100 year old houses that have been made into business facilities that are absolutely phenomenal. And the city owns property like this.

The Chair:

I don't have that data.

Michelle Madoff:

Could we hold it a week?

Mr. Ricciardi:

We received a memorandum on that, Mr. President.

Michelle Madoff:

We did?

Mr. Ferlo:

If I can respond? The basic issue here is that the administration is securing property on the second floor of 1700 East Carson Street at an annual, well not an annual rent, but a rent for the 24 month period of \$174,064.00. I think that it was indicated at the hearing that it was roughly \$12.00 a square foot. Maybe Mr. Ricciardi can refresh my memory on that. My basic point, regardless of the amount is that that is revenue that can better come into the city coffers by the City Administration itself providing that office facility. And the proposal that I was suggesting is that if we are purchasing the upper floors of 200 Ross Street we can maybe accommodate the JTPA Office and collect that revenue ourselves. It's definitely too much money.

Michelle Madoff:

I would move to hold Bill 3318 a week.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Mr. Darkins presented

Bill No. 3355

Report of the Committee on Public Works for October 30, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3251

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the application of cold laid latex modified emulsion, at a cost not to exceed One Hundred Nineteen Thousand Five Hundred Fifty One Dollars and Thirty Seven Cents (\$119,551.37), chargeable to and payable from Code Account 3-01-01-0001-91, Index Code 801068, Citywide Resurfacing Program."

Which was read.

Also,

Bill No. 3252

A Resolution entitled, "Resolution repealing Resolution No. 305, effective April 10, 1991 entitled, 'Resolution providing for a contract or contracts, or the use of existing contracts, for the renovation or construction of walls and related

facilities of City property at various locations throughout the City, at a cost not to exceed Ninety One Thousand Four Hundred and Sixty \$91,460.00) Dollars, chargeable to and payable from Code Account 3-01-01-0018-91, Emergency Wall Reconstruction Program, Index Code 801316."

Which was read.

Also

Bill No. 3253

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Fairfax Estates on Tioga Street and Rosedale Street in teh 13th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 3254

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for South Side Lofts on S. 15th Street in the 17th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3255

A Resolution entitled, "Resolution adopting Official Sewage Facilities for Giant Eagle Supermarket, on Murray Avenue in the 14th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3256

A Resolution entitled, "Resolution amending Resolution No. 1215 of 1982, effective December 3, 1982 entitled, 'Establishing Asphalt Reimbursement Trust Fund', by including as allowable expenses salaries, premium pay, and benefits for employees in the Asphalt Division."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3257

A Resolution entitled, "Resolution amending Resolution No. 187 of 1983, effective March 24, 1983, as previously amended by Resolution No. 194 of 1989, effective March 30, 1989, entitled, 'Establishing an Animal Control and Animal Welfare Trust Fund', by including as allowable expenses salaries, premium pay, and benefits for

employees in the Animal Control Division."

Which was read.

Mr. Ferlo:

On Bill No. 3257. Again, my same objections on the creation of a trust fund for Animal Control. We're basically taking the revenues that traditionally have gone to ensure the spaying and neutering program. We're now adding in the ability for the administration to pay for the foreman and a truck driver which I think should be a part of the operating budget. It should not come out of the fees collected for a dog license, that money is already committed for a spaying and neutering program and I object to that bill.

Michelle Madoff:

Well, I disagree with my colleague and I stated my reasons earlier. I think that you have to do what you can to survive because we don't want to cut off any of these wonderful amenities for the city. I do agree in part with him. Item 8 on page 3257, the payments to veterinarians for spaying and neutering - I'll tell you that is something that we better look into. I've talked to the veterinarians. Guess who is taking advantage of this? It's not the indigent and I predicted that when I voted against it. It is not the indigent, it is the people who can afford to pay the doctors. For the most part my understanding is that people who can afford to pay for their dogs who live in the community are not taking advantage of it, they are taking advantage of it, but the indigents are not. I think if we'd do some research on it you'll find that I'm correct and that may be money that could be better spent in other ways, or allocate it for people in certain income levels.

May I request, respectfully, President of Council and Finance Chairman, could we please have a review from the veterinarians on the

spaying and neutering as to who their clients are, are they indigents, and can they prove that, and you are going to find out that I'm absolutely right.

May we have the information specifics on that segment of Bill No. 3257. I'm going to vote for it because it doesn't make any difference. But I think that's a point well taken. I don't want to see monies taken from that account and deprive the indigents, but it seems to me that you are going to see that it's not indigents using it. I just would like to have some basic information so we don't vote in a vacuum.

The Chair:

Mr. Perry, would you please request that information regarding that bill, Spaying and Neutering.

Michelle Madoff:

And I'd like a copy of that so we follow-up.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 5 NOES 3

VOTING NO:

Mr. Ferlo
Mr. Regan
Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3259

A Resolution entitled, "Resolution granting unto Puddles' of 1600 Smallman Street their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a six foot wide cement ramp joining their building on the Smallman Street side of their building in the 2nd Ward, 6th District of the City of Pittsburgh."

Which was read.

Mr. Ferlo:

I object to 1600 Smallman Street, Puddles as I have in the past, because I think they should be paying something for a ramp that's six feet wide and 60 feet long on a city right-of-way.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3260

A Resolution entitled, "Resolution granting unto Edward N. Stoner, II, 226 Outlook drive, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a garage encroachment on a portion of the right-of-way of Arlington Avenue in the 18th Ward, 1st District of the City of Pittsburgh."

Which was read.

The Chair:

I would request that we recommit Bill No. 3260 due to the fact that we haven't received sufficient information on it.

Michelle Madoff seconded the motion.

Mr. Coyne:

On 3260, I believe that Public Works did send us a flood plan, I don't know if you got a chance to see it.

The Chair:

Yes, I did and I couldn't tell anything by it and we sent it back and asked for more information. And due to the fact that Arlington Avenue is a new street and we have an encroachment here of four feet by twenty-four feet, I'm beginning to wonder where it is.

Michelle Madoff:

We're holding that, right?

WHICH MOTION PREVAILED.

Also,

Bill No. 3262

A Resolution entitled, "Resolution granting unto Joseph and Carina Traficante, 1600 Trinity Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sideyard on a portion of the right-of-way of Amsterdam Avenue in the 10th Ward, 7th District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Coyne

Mr. Ferlo

Michelle Madoff

Mr. Millions

Mr. Regan

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 3356

Report of the Committee on Planning, Housing and Development for October 30, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3263

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to return and reapply for funds in an amount not to exceed \$400,000 to the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 3264

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to return and reapply for funds in an amount not to exceed \$2.5 million to the Pennsylvania Department of Community Affairs for the North Shore Redevelopment Project."

Which was read.

Also,

Bill No. 3265

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application for Financial Assistance in an amount not to exceed \$365,400.00 to the Commonwealth of Pennsylvania Department of Community Affairs

to acquire additional properties in and abutting the Crawford-Roberts Redevelopment Project."

Which was read.

Also,

Bill No. 3266

A Resolution entitled, "Resolution providing for the Crawford-Roberts Acquisition Fund Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh."

Which was read.

Also,

Bill No. 3267

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into an Agreement with Landmarks Financial Corporation providing for the purchase by Landmarks Financial Corporation of URA's Urban Development Action Grant Loan to Pasquale Navarro for the sum of \$1,200,000."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Mr. Milliones
Mr. Regan

Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3268

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to use funds paid by Landmarks Financial Corporation to purchase URA's loan to Pasquale Navarro for administrative expenses incurred in 1992 and 1993."

Which was read.

Mr. Ferlo:

President, I would like my comments brought forward on Bill No. 3268.

I have no objection, obviously as I said in the meeting to the city assisting the Station Square history and landmarks to add on to the parking lot there. It's somewhat lucrative and I probably would debate how it ended up being \$1.2 million as opposed to a greater sum, but having said that, my objection is that the money that normally comes back from the UDAG interest repayments back to the URA have always gone back into community development corporation, either the community development and investment fund or something that goes back to the neighborhoods for housing and commercial development and I object to this money which is more than \$490,000.00 going to support the URA Administration. We are basically robbing our communities.

Mr. Ricciardi:

Thank-you, Mr. President. As I said last week during our Wednesday meeting I also am opposed to this bill. The money that's going to be going into that operating budget is money that traditionally throughout the years went into projects and neighborhoods. So obviously, local development corporations are going to be feeling the brunt of this. I'm not saying that I'm in favor of laying people off at the URA, however hard decisions have to be made and if they are in need of operating funds, you don't take it from capital budgets, and this is exactly what we're doing here. Tradition will show that this money never went for operating budgets.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 3268, WEDNESDAY, OCTOBER 30, 1991)

Mr. Ferlo:

As you know, we met prior and you've raised some questions about this deal. First of all, there are two separate subject matters here in one bill. One is refinancing a debt that the Station Square, specifically the parking lot -- part of the Station Square has under the previous UDAG obligations. Presumably this would be income over the next many years in excess of \$3 million that would come back to the URA with interest-free payments. For whatever reason, specifically one of them being a desire to add an additional deck to the parking lot, the proposal I assume coming from Station Square owners are desirous to want to refinance that specifically to buy out that debt and pay up front a negotiated price of \$1.2 million. Could you just explain how you arrived at the \$1.2 million and how much money will actually be lost, revenues not generated as a result of the original UDAG?

Dir. Whitmer:

The original UDAG was for \$3.3 million. It was negotiated at the time with Landmark Station Square interests on the basis that there would be payments back out of the revenues -- net proceeds. The interest accruing at that same time has accrued to about \$3.9 million as of last year or some time in this year when we began our negotiations. We were contacted late last year by Mr. Arthur Ziegler of Landmarks indicating his desire to expand the Station Square complex and as many of you know he has been getting some conceptual plans on expansion. One of the initial problems that he faces is to -- if he does develop additional buildings, he develops it on existing parking areas and therefore needs to expand the parking garage. One of the reasons he can't finance that garage is the UDAG loan that is involved. He approached and said that we would like to buy out that loan. After prolonged negotiations and calculations on net present value, we reached an agreement of approximately of \$1.2 million as a buyout of that loan. I should point out that that loan is payable in full in the year 2025 and if there are no net proceeds from the parking lots during that period of time, it would not be paid until then.

Mr. Ferlo:

How did you specifically arrive at the \$1.2 million? Presumably they offered less and you offered more, how did you arrive at \$1.2 million? Was it purely negotiated?

Dir. Whitmer:

It was negotiated based on some calculations of net present value of the \$3 million and of course net present value calculations are based on assumptions of inflation and it's not an exact science. For instance, I took the \$1.2 million and asked two of the city banks if I put that in the bank today at your current interest rates, what kind of return would I get? The information I got back from the banks based on the rates -- in ten years if they gave us a ten-year CD it would be \$2.7 million. So over ten years we would have \$2.7 million and we would still have another 20 years on the loan. So there are different ways of doing it and then it comes down to a negotiated agreement.

Mr. Ferlo:

Were there any calculations as to how much additional income will be received by the City for the additional floor of the parking?

Dir. Whitmer:

We did not do those calculations. Obviously those would be fairly easy to do. Again, they would be estimates on how much parking was there and what the rate was. I think the bigger issue is that we are certainly interested in seeing Station Square go forward in additional development and this was one of the ways we can resolve it.

Mr. Ferlo:

The second bill here relates specifically to where those moneys will go. Traditionally in the past as we all know the UDAG interest repayment funds go back to the URA and in many instances they have been used by other community development corporations to fund economic development projects in the district. That's true for the Giant Eagle UDAG moneys and others. What's happening here and which I'm a little bit upset about is -- and I recognize as Director Turner talked about earlier -- the stated position of the financial situation with the City although today we've never received anything in writing about that. The comment I have here is that you're taking money that normally would go back to community development corporations to invest in their neighborhoods and using it solely for the City's obligation for the administrative budget of the URA which is the \$490,000.00. In other words, traditionally the city operating budget allocates that \$490,000.00 to the URA for the administration and part of your budget and I assume that money is matched with CDBG dollars which are expended for administration, roughly \$2 million. So this \$490,000.00 really is a reduction or a taking away of money

that traditionally would go to CDC's for economic development in the neighborhoods; is that the case?

Dir. Whitmer:

In this particular UDAG, yes it is but the point I'm trying to make and you must recognize that the URA must administer these funds. UDAG was a fine program and in most cases it was in grants and most cities provided grants. We structured some loans, some we will get back and some we will not and we need to administer those programs and the only way we can do that is maintain the staff we currently have and without the city allocation I have to find replacement of those funds.

Mr. Ferlo:

I don't disagree with you. In fact, you have a city allocation that is supported by Council both with the CDBG allocation going to administration as well as this sum coming out of the yearly operating budget to pay for administration. I'm not proposing that you further conduct layoffs at the URA. I'm only suggesting that if Council votes for this, we are also indeed voting to reduce money that traditionally has been available to community development corporations to do development which is the reason why I'm voting no on the second bill. That means that we continue out of the operating budget to make the allocation to the URA.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7

NOES 2

VOTING NO:

Mr. Ferlo
Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 3357

Report of the Committee on General Services for October 30, 1991 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3288

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts for the purchase of CAD

Hardware items for Communications Division, Bureau of Administration, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 3358

Report of the Committee on Parks and Recreation for October 30, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3294

A Resolution entitled, "Resolution authorizing

and directing the City Controller to create a special trust fund to be designated as the Pittsburgh Zoo Trust Fund, for the purpose of depositing funds and expenditures of funds for any and all related expenses."

Which was read.

Also,

Bill No. 3295

A Resolution entitled, "Resolution authorizing and directing the City Controller to expend funds for salaries, premium pay and employee benefits in addition to all other expenses related to the Pittsburgh Aviary from Code Account Aviary Trust Fund, ATF, Index Code 250209, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 3296

A Resolution entitled, "Resolution authorizing and directing the City Controller to expend funds for salaries, premium pay and employee benefits in addition to all other expenses related to the Department of Parks and Recreation's Skating Rink Program from Code Account Schenley Park Rink Trust Fund, SPRTF, Index Code 254367, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed.

Also,

Bill No. 3297

A Resolution entitled, "Resolution authorizing and directing the City Controller to expend funds for salaries, premium pay and employee benefits in addition to all other expenses related to the Department of Parks and Recreation's Swimming Pool Program from Code Account Swimming Pool Maintenance Trust Fund, SPMTF, Index Code 254334, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
-----------	---------------

Mr. Coyne
Mr. Darkins
Michelle Madoff

Mr. Regan
Mr. Wagner
Mr. Wagner
(Pres't)

AYES 7

NOES 2

VOTING NO:

Mr. Ferlo
Mr. Ricciardi

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 3298

A Resolution entitled, "Resolution authorizing
and directing the City Controller to expend funds
for salaries, premium pay and employee benefits
in addition to all other expenses related to the
Phipps Conservatory from Code Account Phipps
Conservatory Trust Fund, PCTF, Index Code
253153, in the Department of Parks and
Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins

Mr. Milliones
Mr. Regan
Mr. Ricciardi

Mr. Ferlo
Michelle Madoff

Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 3359

Report of the Committee on Engineering and
Construction for October 30, 1991 transmitting
two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3224

A Resolution entitled, "Resolution further
amending Resolution No. 1415, effective
January 1, 1991, as amended, entitled, 'Adopting
and approving the 1991 Capital Budget and the
1991 Community Development Block Grant
Program; and approving the 1991 through 1996
Capital Improvement Program,' by creating a
new line item (EC 91-569) Miscellaneous
Restoration of Pittsburgh Water and Sewer
Authority Projects."

Which was read.

Also,

Bill No. 3225

A Resolution entitled, "Resolution providing for
a Contract or Contracts, or use of existing
Contracts, for Miscellaneous Restoration of
Various Water and Sewer Authority projects; and
providing for the payment of the cost thereof.

Cost not to exceed \$50,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presented

Bill No. 3360 Communication from Jack Wagner, President of City Council, submitting the Lead Poison Prevention Committee.

Which was read, received and filed.

LEAD POISON PREVENTION COMMITTEE

Andy Gespass, Chairman
c/o Kirkpatrick & Lockhart
1500 Oliver Building
Pittsburgh, PA 15222-5379

355-8664

Dr. Herbert Needleman
University of Pittsburgh
Graduate School of Public Health
Suite 305 Iroquois Building
3600 Forbes Avenue
Pittsburgh, PA 15213
624-0877
FAX 624-0672

Wilford Payne
c/o Alma Ilery
7227 Hamilton Avenue
Pittsburgh, PA 15208
244-4700
FAX 244-3512

John Zilka
c/o Camn Construction Corp.
20th and Sheffield Street
Aliquippa, PA 15001
378-4426

Roy Sterner
County Health Department

Chris Sommer, Senior Planner
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FAX 623-1087

Jamie Rooney
c/o Congressman William J. Coyne
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Pittsburgh, PA 15222
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Louise Brenman
Pittsburgh Board of Education
340 South Bellefield Avenue
Room 251

Pittsburgh, PA 15213
622-3500
FAX 622-3779

The Honorable Susan Laughlin
c/o State Rep. Beaver
555 Merchant Avenue
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Allegheny General
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Pittsburgh, PA 15212
359-6531

Dr. Rick Solomon
Allegheny General
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c/o Councilman Bernard J. Regan

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Pittsburgh, PA 15212
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Teresa Heinz
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Suite 650
Washington, D.C. 20001
202-737-5652

Dr. Donald Mattison
University of Pittsburgh
Graduate School of Public Health
1010 Parran Hall
Pittsburgh, PA 15213

Hugh Happel
Divine Providence Hospital
1004 Arch Street
Pittsburgh, PA 15212

Ernst Miller
HACP
200 Ross St., 9th Floor
Pittsburgh, PA 15219

Janice McCollum
Pittsburgh Home Care Products
732 East Warrington Avenue
Pittsburgh, PA 15210
481-5360

The Chair:

Any comments to add to that?

Mr. Regan:

I would just like to thank my colleagues and I think that without them this really wouldn't have been because a lot of my colleagues knew a lot more about this than I did when we got started. I know it's a difficult thing to put together and I think that through Councilman Cohen whose friend is the Chairman, we have some very distinguished citizens and I think with the help of Council we're going to make this thing work and help a lot of poor people that need help. The more I find out about it, the more I feel that we really need help with this particular issue.

The Chair:

Thank you. Any other items?

Mr. Cohen:

Briefly, Mr. President. I think we all know that our cable company, TCI of Pennsylvania raised its rates again last week. By my calculation that's a 57 percent increase in rates since the beginning of 1987 for their highest level of service, the Expanded Basic Plus Service. I think we all got copies of the letter that was sent to Acting Director Sciulli of Public Works. And in that letter, TCI of Pennsylvania says we are pleased to note that the new rate for basic service represents a modest increase of approximately 2.5 percent over the current rate. What, unfortunately TCI leaves out is that for the level that is used by 86 percent of all Pittsburgh residents who use cable, which is the Expanded Basic Plus level, it's not a 2.5 percent increase; it is an 8.5 percent increase. That was conveniently left out of the letter to all of us.

Moreover, they said that this is in keeping

with the commitment that we announced a year ago to strive to maintain a service that would be broadly affordable. Well, it may be broadly affordable, Mr. President, to the rich executives at TCI, but it's certainly not affordable to the average Joe and Jane in Pittsburgh. It's a very high rate and right now to get Expanded Basic Plus, which I said is represented by 86 percent of those who use cable - it's now \$20.80 per month. That's too high and I would like for this Council to send a letter of protest to TCI saying that we very strongly oppose this rate increase, that's it's outrageous, that they continue to squeeze their customers for as much as they're worth and until the United States Congress gives us the power to re-regulate rates for this monopoly like TCI, they are going to continue to act like a monopoly. I won't go into it any more than that. We all know from our experience that Council does not have the power to do much more than send a strong protest, but I would like to make a motion that we do that very strongly and ask that TCI stop squeezing its customers.

Michelle Madoff seconded the motion.

Mr. Regan:

I'd like to commend my colleague, Councilman Cohen because he's continued to battle for the consumers on this issue with TCI. It's a monopoly. The poor people can't defend themselves and if were not for people like Councilman Cohen, the poor people would not be heard in the city. And I would like to commend them for keeping after TCI because they should stay on them. Thank you.

The Chair:

I would just like to add to that, in addition to the point Councilman Cohen has brought up the six percent sales tax now applies also to the far majority of the bills. Therefore, the average customer has a significant increase in their bill.

And quite frankly that's all they're looking at and if you go back ten years ago there was no cable and the average person with a TV paid nothing. And now we have a sales tax and now we have annual increases and I agree 100 percent.

WHICH MOTION PREVAILED.

Michelle Madoff:

I'd like to remind the public — and I'm taking this opportunity, since Council graciously supported me on a referendum question that's going to be on the ballot, the ballot question will ask voters whether to amend the Pittsburgh Home Rule Charters so that the Controller's office is required to submit the annual city audit to City Council by May 1st of each year. And there was an editorial in the Post Gazette and I'm extrapolating from that because they've succinctly put together the reasons why we ought to support it. It would give those involved in the budget process, the Mayor's staff, city department heads and Councilmembers an earlier look at the previous years' final picture on expenses and revenues. It would standardize a time when the Mayor would have annual audit available for use in seeking loans or a bond sale.

Banks and bondwriters asked to see the city's latest audit before deciding whether to extend financial aid. It would bring the Controller's office in line with the professional standards of the Government Finance Officer's Association. Currently the city's annual audit is wrapped up and submitted sometime in the summer. And it goes on to say that a spokesman for Mr. Flaherty's office — somehow he never speaks for himself, said that indeed the latest annual audit was released in August which was early because the city's employees' pension fund, independent boards, were late in submitting their figures. Well I suppose and I propose that if this referendum question passes and I urge

everybody to vote yes, as does the Post Gazette, that it would force the city departments, the independent boards to come into line and meet their deadlines as well.

We cannot go out into the bond market. And that is other than salaries, I believe capital improvements which are bonds are our largest expense that we have in the city. It's much easier to relate to your increases on your cable because it's easily comprehended. I've been here a very long time and I'm just beginning to understand in depth what bonds are all about. I suggest — the people that I've talked to in the last ten years, the rate payers and the taxpayers of Allegheny County, the city is part of Allegheny County, have paid more than \$100 million unnecessarily because we have got into negotiated bonds instead of competitive bids. And I propose that if we can get this referendum question through at least we will be in a position earlier to understand what monies we do and do not have. And that was one item so I urge you please, Council pass this unanimously, to please when you go to the ballot tomorrow don't forget the referendum question and vote yes because Michelle told you to.

Mr. Ferlo:

I have two unrelated issues. First of all, Mr. Chairman, if we want to talk about rate shock and I agree totally with my colleague Mr. Cohen, but if we do want to talk about rate shock I think we should be concerned about a pending or proposed 8 1/2 percent increase water rates in the city that I believe is either on the agenda at the Water and Sewer Authority or shortly will be on the agenda. I say it's rate shock because if we look over the tenure of the Water and Sewer Authority since it's creation, I believe rates have gone up over 100 percent. And personally, I feel judging from my observations of the operations of this department there are a lot of unnecessary expenditures. Construction projects that have

been mind boggling, and an example would be \$2.6 million to build basically nothing more than a pre-fab warehouse on the Brilliant Yard. When you look at the expenditures to date the amount of money paid out to consultants and multiple consultants, Chester Engineers in particular, I think it's outrageous. And as far as I'm concerned the 8.5 percent rate shock is nothing more than a back door tax increase by this Administration.

It basically would recoup revenues that have nothing to do with either direct or indirect costs to city government in the amount of over \$4 million. Obviously I'm opposed to it. I think it's outrageous and I think it should be something that this Council begins to discuss. I was one of the few people as a community activist to speak out against the creation of the Water and Sewer Authority. I still would like to see its abolition. There are no controls there. It's a hand group, a perilous guard that basically represents the Administration's viewpoint and I think that expenditures of the Authority have gotten out of hand and this is indicative. This 8.5 percent rate shock is another indication of what stinks at the Water and Sewer Authority. And I think that we should be vocal about it.

The Chair:

When is that proposed?

Mr. Ferlo:

I'm asking for an explanation from the Administration of what's proposed, why is this money needed, what's it going for and I think a performance audit at that Authority is long overdue. Personally, I wish we would just abolish the Authority and return control to this legislative body regarding its operation.

Michelle Madoff:

I'm pained to say that I'm almost in

complete agreement with my colleague. Now let us remember there's \$13 1/2 million outstanding - uncollectible, uncollected, it may be collectable, - uncollected delinquent accounts, \$13 1/2 million. That means that the people who don't pay are being subsidized, the people like senior citizens, the people who do pay. I talked at great length to Mr. Turner in the Administration about restructuring the Water and Sewer Authority arrangement. We're at least in agreement. The city does the work, the Authority borrows the money. There is not enough money coming back to us into the general fund. Unfortunately, Mr. Ferlo if we were to collect that \$13 1/2 million it would not come to the city general coffers, it would go to pay off the debt service. I don't think that is correct. I think that we should be getting some of that money to help run the city, the Authority has poured multi-millions of dollars and has the money to spend on warehouses and on other things and I am absolutely opposed and appalled that they're now thinking of going out and putting this debt out to a collection agency at somewhere between 25 and 40 percent.

I don't have a problem with the deadbeats that have moved out of the city that we're never going to get even 50 percent on that, but the everyday people who lag behind for three months and then they pay up and then they lag behind for three months - \$13 1/2 million of which I believe, according to what I've talked to, the Water Department personnel, we could probably collect at least \$4 to \$6 million like that. But we don't get it. I think we need to look at restructuring that department and I agree in principle with Mr. Ferlo.

I have another subject when it's my turn.

The Chair:

Any other comments on the same issue?

Mr. Ferlo, your request was to obtain

information from the Administration in regard to an anticipated rate increase?

Mr. Ferlo:

Aside from stating my opposition, I would like to ask for an explanation from the Administration regarding this proposal.

Michelle Madoff:

Incidentally, just for the record, I believe I was the only vote against the creation of the Water and Sewer Authority at the time, on Council. We voted for it ultimately? Did you vote against it?

The Chair:

Councilwoman Madoff, you have the floor on other issues.

Michelle Madoff:

Okay, the other issue. I inadvertently turned on the television over the weekend, I think it was Saturday afternoon and I caught C-Span and it caught my eye and I started listening to some committee. I was appalled to learn that there were some statistics provided and I guess we've been hearing about it on national news and local news that if we go two more months -- and I hope Mr. Ferlo is paying close attention -- if we go two more months we will have the largest recession in the history of the United States since the depression, certainly since World War II. I can't believe that anybody would think that the city isn't hurting financially. We are in a real serious financial crisis. And that's why I can't believe that there's \$13 1/2 million that we're not collecting whatever we possibly can for the general fund. But, to suggest that there's a fraud, to take out the firefighters and the police and negotiate with them I think it's misleading and unfortunate. The reason I'm even addressing it is

that my office is being deluged with calls and I'm sure other Councilmembers are, about the firefighters going door to door in communities putting out circulars saying that you are going to lose your fire station, your going to lose your firefighters.

I think that we have to deal with reality. I don't know how we are going to end up with the firefighters. My understanding is that we are not going to lose any of them and I would hope that some of the errors in the report which are grossly outrageous -- that we will look at this in a realistic way and do the very best that we can with the dollars that we have and that's going to fall into Council to overview the budget that we're going to get. But we are in a dire financial crisis, albeit not as bad as other cities. And for anyone to say that we're not -- I can't believe that. I just thought that we should bring that forward.

The Chair:

Well I don't think that we should be communicating through the newspapers here. I don't think that there's been a discussion of that type here on the floor, therefore I don't think that we need to get into it.

Michelle Madoff:

Well, I was sort of shocked to pick up the paper today and read that we really didn't have a problem that it was just a facade so we could negotiate with people and I think that we have to lay that to rest. We have a crisis.

The Chair:

Other issues?

Mr. Ferlo:

Mr. President, the same issue. For the last many weeks, not only myself but other

individuals, including yourself, Mr. President have asked for specific financial information, not rhetoric, not policy issues, not these fabrications, but our real situation is that we're asking for dollars and cents. Maybe they could provide us with the same information that they provided in New York to the rating agencies. I don't know. We have not received that information. That was the basic point in comments made in the Newspaper article.

The Chair:

At this very moment our budget staff is meeting with the Finance Department to verify the numbers that they have indicated to the public and to Council in a general assembly.

Mr. Ferlo:

Well on that issue, Mr. President I am going to be introducing a bill this coming week that I want to ask Council to consider. I really feel very strongly that between now and the end of the year we need our own CPA person to provide us with some financial information regarding what our real revenue and expenditure status is, both this year as well as some projections. As far as I'm concerned, I felt that Director Turner in the past has lead us down the Primrose Path. I don't want to engage in that kind of activity between now and the budget debate. I think that we need a real assessment. Obviously, I feel that I'm in the minority on this, but I don't feel that Director Turner has given us reliable information whereas I think that the majority of Council feels that he is on top of things and he has given us information that's accurate. I don't happen to be in that category. I think that we need some independent people who have a CPA background to provide us with some technical assistance between now and the end of the year when we formulate a budget.

Regarding our real situation, I am going

to introduce a bill just to put it on the table so we can begin to discuss it and I would suggest that the money could come from unexpended fund balances within the City Council Code accounts.

Michelle Madoff:

While I've stated my case about the fiscal plight of the city I do 1,000 percent agree with Mr. Ferlo that we ought to have our own CPA or fiscal advisor. Does this sound familiar? I think Mr. Wagner and I talk about it almost everyday. I've spoken to Mr. Milliones, I've spoken to all of my colleagues and where were you when I bring it up every year when I've been saying why don't we have it. I'm glad everybody has seen the light and we may get on with doing what we should be doing. And that is Council should not vote in a vacuum. Yes indeed, we should have our own financial advisor. And that is not to say that Kurt and John and everybody in our Budget Office doesn't do a great job. But, they do not have that financial advisor concept that somebody who has been with a 'Big Eight Company', somebody who is a CPA that can come in and give us some really good advice by looking at projections as was stated and looking at what we are going to have this year.

I used to do a critique of the budget every year, but nobody was interested and it is obvious that we should be doing that so that when we vote we know what we are voting for and I hope that you make that a motion, not wait until you introduce legislation. Do it right now.

Mr. Ferlo:

Well, I'm introducing a bill to expend money, Michelle.

Michelle Madoff:

Well, but you could make that as a floor motion just to get things moving and I'll second it.

Let's see if the Council supports the concept.

The Chair:

Other issues to be brought before Council?

Mr. Regan:

I would like to tell Michelle Madoff that when it comes to City Court we have a chance of saving \$2.6 million minimum. And I checked and there's roughly 2,500 townships, boroughs and first, second and third class cities that all use one court system and the City of Pittsburgh uses another. All of those are paid for by the county and the state. The City of Pittsburgh pays for ours. It's an absolute duplication of service. If we want to save money there's a real place where we can save it.

The Chair:

Any other items to be brought before Council?

Mr. Ferlo:

Mr. President, just one last thing on this, the last quarterly financial report for the city show that the receipts from the Zoo, the receipts from the Parking Authority and the \$426,000.00 from the county for the Stadium Authority proposing Pirate Bond issue have still not been collected. And I'm wondering why those funds as well as some other things in that quarterly report are not forthcoming to the city coffers. We could send a letter to Director Hayllar.

Michelle Madoff:

What about the county?

Mr. Ferlo:

Well, it's the county's \$426,000.00 as well as the Zoo receipts and the Parking Authority receipts and there are some other items also.

Mr. Regan:

Mr. President, thank you, I would like to ask the President of Council if you would write a letter and ask for a report in the asbestos found in the Public Safety Building. My understanding is that we spent \$600,000.00 to have it removed and I'm told that there's another \$10,000.00 contract to remove the asbestos that's in there and I thought that that came under the \$600,000.00 contract.

The Chair:

I was under the impression that it was all out also. We will do that.

Mr. Regan:

Thank you.

The Chair:

Any other items to be brought before Council? Is there a motion to adjourn?

Mr. Milliones moved to approve the Minutes of Thursday, October 24, 1991 and Tuesday, October 29, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, November 12, 1991

No. 44

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, November 12, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning, everyone. Could the people from the Alzheimer's Association come up here please?

Mr. Cohen presents

No. 3429 WHEREAS, more than four million people in the United States are affected by Alzheimer's Disease, a degenerative, progressive disease that attacks the brain and results in impaired memory, thinking and behavior; and

WHEREAS, Alzheimer's Disease is the most common form of dementia taking more than 100,000 lives in the U.S. which makes it the fourth leading cause of death among older adults; and

WHEREAS, approximately 10.3% of the senior citizens living in the City of Pittsburgh are stricken with Alzheimer's Disease; and

WHEREAS, the emotional and economic strain of the Alzheimer's families requires public awareness to stimulate concern and support to ease their burden.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Allegheny County Chapter of the Alzheimer's Association for its important work in educating the residents of

Pittsburgh and Allegheny County about this grave illness and for providing support for the Alzheimer's patients and their families; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims the month of November, 1991 as "Alzheimer's Disease Month" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council.

We have with us this morning a number of people from the Alzheimer's Association and they are Linda Doman who is Executive Director of the Greater Pittsburgh Alzheimer's Association, Gary Gushard who is the President of the same organization, Ellen Berliner who is Vice-President of the organization, Wynn Gilden who is Project Director of the National Council of Jewish Women's Council Care Two Day Care for the Alzheimer and Memory Impaired Adult Group, and I think that's at the Riverview Center, and Arlene McGannon who is Administrator for Woodside Place which is a residential facility for Alzheimer's patients.

We are really beginning to make scientific progress in the field of Alzheimer's Disease and the Association here in the Greater Pittsburgh area is really doing a tremendous job and I just wanted to give them an opportunity to tell us a little bit about their work and to be honored here today. So, if we could begin with Linda Doman, please.

Ms. Doman:

I want to thank Councilman Cohen for the proclamation and thank Council for your concern about this disease and how it affects over 7,000 individuals in the City. It's important to remember that it's not only those individuals but their families that are deeply affected by this burden of the 24-hour a day care.

There was a little confusion in the beginning because we used to be the Allegheny County Chapter and have just changed our name to the Greater Pittsburgh Chapter to reflect more of our regional territory. So, that was a little bit of the confusion.

We're the only local chapter of the National Alzheimer's Organization and we're primarily a volunteer organization. We provide support and assistance to people affected by the disease. We have a telephone line where people can call in with questions and discuss their concerns, and we have a variety of educational and public awareness programs.

But we really appreciate your support and your concern for people who really need some information and some help and some education about how to deal with this illness.

I'd like to introduce Gary Gushard who is the President of our local chapter.

Mr. Gushard:

Thank you, Members of Council. I just want to take a brief moment and tell you that this is National Alzheimer's Disease Month throughout the country and that we'd like to thank you for the proclamation that you have passed this morning. We thank Councilman Cohen for sponsoring it. He told us ahead of time that there wasn't much that Council could do to help in the fight against this disease; however, what you

have done this morning in terms of heightening public awareness and providing input to the public to let them know that there is help available through organizations such as ours is very helpful and we'd like to thank you for that.

Mr. Cohen:

I just want to thank you all for coming down and thank you for all the work that you're doing for the people who are afflicted with this disease and also for the families who also have to go it and be a part of this.

Would you like to say a few words also? Please, come up.

Speaker:

I would like to suggest that even though this is Alzheimer's Disease Awareness Month, that you try to keep it in mind all year long.

My husband is not dead but he is gone because he has had Alzheimer's Disease for going on 20 years. It's a very wearing thing to live with.

I'm glad that I work on the help line at the Alzheimer's Association office where I speak every single day and sometimes at night to families calling in with a range of questions and concerns from, "Do I have Alzheimer's Disease; I'm getting forgetful." to "I'm holding on by my fingernails. My husband is 80; I'm 79 and I can't do it anymore."

This is the kind of thing that Alzheimer's Disease brings to us every day.

I appreciate this resolution and thank you for making it and hope that you'll stay in touch with the issues and that we can do a lot for the City of Pittsburgh and surrounding territory.

Thank you for having us here today.

The Chair:

Thank you.

Councilman Cohen, can I ask a question and maybe someone could answer it?

What kind of resources are being devoted federally towards trying to analyze a cure to the problem?

Ms. Doman:

I can't right now give you specific numbers on that but I think it was last year around \$250 billion dedicated to research of Alzheimer's Disease.

As a point of interest, we do have one of the 15 funded Alzheimer's Disease Research Centers at the University of Pittsburgh. So, there is quite a bit of money being dedicated to research but, of course, we could use more.

The Chair:

Any information you have on that, please provide it to us.

Ms. Doman:

Sure. We'll be glad to do that.

The Chair:

Thank you.

Mr. Cohen:

Thank you all for heightening our awareness of this disease.

Could the folks from the Times Project

come up here, please?

Members of Council, I'd like to ask your indulgence for one other resolution this morning. This is for the Times Project.

Mr. Cohen presents

No. 3430 WHEREAS, the Times Project is a non-profit organization dedicated to finding alternate spaces for the visual arts and to establishing a vital permanent space for the visual arts community; and

WHEREAS, the Times Project is committed to presenting exhibitions of artists, preparing education programs for the public, and encouraging artists to become a greater force in the progress and beauty of the City of Pittsburgh; and

WHEREAS, vibrant and exciting murals by Times Project commissioned artists have gone up in several locations across the City, including the Strip District and Oakland, with another planned for the North Side in 1992, enlivening and beautifying these areas; and

WHEREAS, the Times Project sets an excellent standard for bringing art to the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Times Project for its outstanding contribution to the culture of Pittsburgh and congratulates its commissioned artists for their fine work.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. I had heard about the Times Project for a while and then, about a month or so ago, maybe a little more than that, I went to a reception for a mural, the artists can describe that actually, but it's a wonderful mural at Forbes and Craig Street and we're very, very happy to have here this morning the artist himself of that project, Mr. Robert Qualters. I was so impressed with the artwork and also with the organization that I asked them to come down here this morning.

We also have with us Jeannine Stern who started the Times Project and is the Project Director and President. And also, Helen Worsing who is the Treasurer of the Project.

I just wanted to say that I think you're doing a terrific job and thank you for beautifying our City by bringing works of art to our area. It really is terrific and I wish you the best of luck. And I'd like to ask Jeannine Stern to say a few words.

Ms. Stern:

Thank you, Councilman Cohen and thank you, Council. We greatly appreciate this privilege and the opportunity that you're providing us and bringing us into the view of the City.

Our purpose is to provide a means to the average, every day person, bringing art into their lives. Some people are intimidated by museums, galleries. We are trying to reverse that and hope that children, men, women, can find a better understanding when art reaches their every day life.

As an artist in Pittsburgh, I found a great need to provide opportunities for artists and there are a great many resources. Many buildings are

deteriorating and in need of some type of assistance and we bring the artist in and ask them to enliven that building throughout their talents.

As Councilman Cohen mentioned, we have to date two mural projects and we are planning our 1991 project on the North Side on East Ohio Street, Literacy Spoken Through the Arts. We are going to ask an artist to somehow communicate to those who cannot understand the written word through the vehicle of art.

I think it will be a powerful message and we will continue as best we can to provide these types of projects to the City. We work within small budgets, wonderful people, wonderful talents, many organizations and individuals work together.

It's always very inspiring to just see what happens during the course of a project. With our last project in Oakland, we had a group called the Seeders and Weeders build a park next to Mr. Qualter's mural. The lot was really an awful eyesore and if you see the park today you'll just be amazed.

We thank you very much.

Mr. Cohen:

I'd like to have Mr. Qualters say a few words, please. Robert Qualters is the artist of the mural. I would encourage everyone to go and see it. It's actually on the dry cleaner building right near the corner of Forbes and South Craig. It's a terrific mural. It really is an epic about the City of Pittsburgh and the history of the City. So, Mr. Qualters, if you could say a few words, please.

Mr. Qualters:

Thank you. I hope this mural stays up. The last one I did on the corner of Grant Street and the Boulevard got torn down after it was up

for about a year and a half.

The first thing I would like to say is that Jeannine Stern, the young artist who started this project, does it entirely on her own, got the idea entirely on her own, pushed it through on her own, makes little or no money whatsoever from this, and puts in a hell of a lot of time. This is just the case of one determined individual doing something for artists in this area and, in my opinion, for the City of Pittsburgh.

Dan asked me to say something about the mural, so I will. It is a sort of historical thing. It starts with people going to work in the Homestead mills, mostly because my studio is in Homestead. It then goes through a sort of history of what has happened to this area. The mills shut down, it has specific Oakland references, the Sphinx, and also St. Peters, and then back again to the final figure which is that of a phoenix which is an image of rebirth and renewal, which the City of Pittsburgh is doing.

That's about all I have to say. I appreciate this. Thank you very much.

The Chair:

Thank you all.

Mr. Darkins:

Mr. President, I would ask that the gentlemen from The Black Contractors Association please come forward.

I wasn't thinking in terms when we were going to present this resolution. There's one gentleman that's on this floor that is absent today that should be here in the person of Jeff Thomas. He was one of my consultants. I mention his name because he was the one that sat with yours truly and the Administration and encouraged the Mayor to do what she has done and today we

commemorate and celebrate one year.

Mr. Darkins presents

No. 3431 WHEREAS, The Black Contractors Association is an organization dedicated to the unification and economic uplift of minority contractors throughout the City of Pittsburgh; and

WHEREAS, The Black Contractors Association has deemed November 16, 1991 as its day to remember and celebrate the landmark Mayoral Executive Order announcing the City of Pittsburgh's goal of 25% minority participation in City contracts and 10% women's participation; and

WHEREAS, The Black Contractors Association is honored as the flagship organization that has successfully organized talented contractors, designers, architects and the like to build an alliance of strength; and

WHEREAS, The Black Contractors Association has established ambitious goals and objectives which are well on their way to being met; and

WHEREAS, The Black Contractors Association is comprised of this decade's most gifted leaders and businessmen; and

WHEREAS, The Black Contractors Association is an organization most worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes The Black Contractors Association for its invaluable contribution to the City of Pittsburgh and the African American community; and

BE IT FURTHER RESOLVED, that the

Council of the City of Pittsburgh hereby proclaims November 16, 1991 as "Black Contractors Association Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have today from that Association Mr. Coady Bolden and anyone else that he deems necessary to speak in regards to this glorious occasion.

Mr. Bolden:

Thank you, Councilman. I want to tell City Councilmen that I appreciate everything that you have done for us. I said it the 16th day of November, 1990, that this is the beginning of a new dawn in the City of Pittsburgh. Day 16, it's going to stand out because Pittsburgh was named Pittsburgh Pennsylvania 1816. And what I'm saying today is that I appreciate everything that this Administration and also City Council has done for The Black Contractors Association.

At this time, I'd like to introduce some of my people that are trying to make this dream. On my left here is our Vice-President of The Black Contractors, Simon Wilcox, M.D. On my other side is Wheeler Winstead who is the Chairman of the Negotiation Committee. The other person on the other side is Jim Ballthorp. He is the Secretary of The Black Contractors Association.

When I speak of The Black Contractors Association, it's not only the African American community, it's all minority communities and one of the good things about it is that we have every business establishment in the organization.

At this time, I want to thank you one more time, especially Councilman Duane Darkins.

Speaker:

I just want to thank Council for this recognition that we have received today. I must say that we owe a lot to Coady Bolden who has been our unrelenting leader over the last 12 months in this pursuit.

One needs to understand that Black Contractors have come together in an attempt to resolve what has been a pressing issue in the Black community for years. Too many Black community residents of Pittsburgh wake up hungry, go to bed hungry. We realized that if we are able to redefine of funds, federal funds, City funds, Council funds, are redefined or control how they are distributed here in the City, that we can begin to resolve a lot of the pain and anguish that we see in our community.

To that end, The Black Contractors have come together in an attempt to resolve a historical problem here in Pittsburgh. And we hope that in the next three to four months many of you will begin to see the effects of what Coady Bolden had begun to put together just 16 months ago. Thank you.

Speaker:

I, too, want to echo the comments of my colleagues. Pittsburgh is a great City and I believe we have great Members of Council. This is a great day.

I believe Pittsburgh is big enough that all those who are seeking employment, who are seeking to make their living as entrepreneurs, can effectively participate in the economic development process. That's what The Black Contractors Association is about.

We are simply today thanking you for recognizing our efforts and asking you to continue to join us in our struggles in making Pittsburgh a great City for all Pittsburghers. Thank you.

Speaker:

I would also just like to thank Councilman Darkins and City Council for the proclamation and basically to say that Black Contractors main focus is just really to try not to let the obstacles outweigh the opportunities.

Also, I'd like to remind everybody that we are having a "Let's Do Business" luncheon and workshop on Saturday the 16th, and everybody is cordially invited. Thank you again.

Michelle Madoff:

Out of all of the gentlemen that are with this operation, I have known and worked with Wheeler Winstead, and I think if everybody that heads departments in the City of Pittsburgh had his skills and talents - they could learn a lot off of him. In fact, I'm the one that recommended him to our housing projects in the City.

We all know that some of the things we've done are absolutely unbelievable. We haven't seen that kind of activity among contractors and they could learn a lot from him. The people he works with must have the same kind of talent or they wouldn't be there.

My question is, do you have any White people who are working with you, White contractors or White people who have a special interest in solving some of the problems, you say not to let the negatives out but the positives. I think you need that kind of input, even your organization and I, for one, would like very much to meet with the leadership and tell you my

thoughts that I think might help eliminate some of the problems.

Speaker:

Just quickly, have you seen the logo of The Black Contractors Association? The logo is of a black hand and a white hand shaking. We are about doing business and we are interested in doing business with all those who believe in doing business fairly and equitably.

I was informed today, and maybe Mr. Bolden can elaborate, that we have gotten recently the assistance of an attorney who is going to be working with us. So, we are asking and seeking partners in our endeavor to make Pittsburgh a great City for all those who are seeking to be gainfully employed.

Michelle Madoff:

I think it's time to sit down with the top of the heap, see what they can do to help you get where they are. A lot of people will do that. Maybe people are doing it already, I don't know.

The Chair:

Thank you all very much for coming.

Michelle Madoff:

Will Marva Harris from Pittsburgh National Bank and Joe Lucas please come forward? Sam Valcenti's wife is ill and he was unable to make it.

Before I give my resolution, I just had a very interesting question. Mr. Ricciardi said, "Where are all those people who went on the trip to Baltimore? Aren't they getting resolutions?" I said, "Not today." They are going to be coming here tomorrow and they are going to be making a presentation and after they make the presentation

we will indeed be presenting them with resolutions.

It is with great pleasure and pride that I present this resolution.

Michelle Madoff presents

No. 3432 WHEREAS, on October 22 and 23, 1991 a group of senior citizens from the City of Pittsburgh traveled to Baltimore, Maryland on a fact-finding trip to study the City of Baltimore's Office of Aging which has been hailed as a model in this Country; and

WHEREAS, the purpose of the trip was to evaluate their Department of Aging by examining its structure and programs to determine the feasibility of opening such an office in the City of Pittsburgh; and

WHEREAS, a fact-finding committee composed of senior citizens who made the trip is meeting to assess the information to determine if the City of Pittsburgh can improve the services we provide our senior citizens at little or no extra cost by implementing a similar system; and

WHEREAS, this trip was made possible and funded in part by a grant from Pittsburgh National Bank through its foundation; and

WHEREAS, Pittsburgh National Bank has set an example of generosity and civic-mindedness for other institutions in the private sector to emulate.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to acknowledge and thank Pittsburgh National Bank for providing the financial assistance to help defray the costs of this trip. Its contribution in the interest of senior citizens and the City of Pittsburgh is recognized and very much appreciated.

Michelle Madoff moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Michelle Madoff:

We in City Council voted the monies for the bus, but under law we could not pay for the hotel for them to stay overnight. Thank God Council, in its wisdom, saw fit to at least pay for the bus ride and get the thing moving and I thank Pittsburgh National Bank for making a possibility a reality.

Ms. Harris:

Thank you. On behalf of Pittsburgh National Bank management, I would like to thank you for this special acknowledgment and add that there are many initiatives that the City of Pittsburgh has initiated that it's been our pleasure to support. We're partners with the City and I think this is just one more indication of that. Again, thank you for this special acknowledgment.

Mr. Lucas:

At this time I would like to thank Ms. Harris here and Pittsburgh National Bank for the money that was allocated to us for our program that we have instituted.

We will be here tomorrow to let everybody know what we saw and what we are attempting to do. Thank you.

Michelle Madoff:

You know, there are hundreds of resolutions given all the time, but we are an aging society and Pittsburgh probably has one of the

largest senior citizen populations outside of the Sun Belt.

I hope my colleagues will attend this report tomorrow and will pitch in to make this a reality. And I'll ask the Administration, through the President of Council, to please send a representative.

Thank you again for being supportive of senior citizens.

Mr. Cohen presented

No. 3361 An Ordinance supplementing the Pittsburgh Code, Title Nine - Zoning, Article III - Districts and District Regulations, by adding Chapter 972, A1-W Commercial-Residential Associated District. ---**(SPONSORED BY MR. COHEN)**

Also,

No. 3362 An Ordinance amending the Zoning Map of the 7th Ward of the City of Pittsburgh by changing the zoning classification of A1 District which includes Walnut Street from A1 to A1-W. ---**(SPONSORED BY MR. COHEN)**

Also,

No. 3363 Resolution requesting the City Planning Commission to direct the City Planning Department to undertake a parking study to determine that the residential area of the 7th Ward of the City of Pittsburgh is eligible for Residential Sticker Parking. ---**(SPONSORED BY MR. COHEN)**

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Cohen moved to suspend Rule 8 by

providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 3364 Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$695.92 in payment of railroad flagging services required during the inspection of the Pennsylvania Avenue Bridge, payable from Code Account EC 91-57.

Also,

No. 3365 Resolution providing for the issuance of a warrant in favor of CSX Transportation in the amount of \$791.58 in payment of railroad flagging services required during the inspection of the Elizabeth Avenue, Herron Avenue and Swinburne Street Bridges, payable from Code Account EC 91-57.

Which were read and referred to the Committee on Finance.

Also,

No. 3366 Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction to execute a license agreement with the Consolidated Railroad and The Pittsburgh Water and Sewer Authority in connection with the construction of a sanitary force main and casing pipe in, under, over and across the right-of-way owned by the railroad in the vicinity of the City Asphalt Plant at Allegheny River Boulevard and Washington Boulevard in the 12th Ward of the City of

Pittsburgh.

Also,

No. 3367 Resolution amending Resolution No. 822, eff. October 24, 1989, entitled "Providing for a License Agreement between the City of Pittsburgh and the United States Department of Army, granting the Army Corp of Engineers a privilege to conduct exploratory drilling in and around the Saw Mill Run Creek in the City of Pittsburgh to facilitate a Local Flood Control Cooperation Agreement," by extending the time period from twelve months to thirty months.

Also,

No. 3368 Resolution amending Resolution No. 599, eff. July 29, 1988, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for the Reconstruction of the Burgwin Playground; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$7,916.45 from \$75,000.00 to \$67,083.55, chargeable to and payable from Code Account CDEC 87-30.

Also,

No. 3369 Resolution amending Resolution No. 233, eff. March 14, 1991, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for Rehabilitation of Various Landscape and Turfed Areas; and providing for the payment of the cost thereof," by increasing the total project allocation by \$5,504.16 from \$175,000.00 to \$180,504.16.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 3370 Resolution transferring the

amount of \$150,000.00 from Code Account 1927-9, Worker's Compensation, Dept. of Water, to Code Account 1644-1, Utilities, Dept. of Public Works.

Also,

No. 3371 Resolution transferring the amount of \$150,000.00 from various Code Accounts to Code Account 1545, Street Lighting, all within the Dept. of Public Works.

Which were read and referred to the Committee on Finance.

Also,

No. 3372 Resolution amending Res. No. 290, eff. April 18, 1983, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing, and relocating certain electrical equipment necessary for street lighting in the City of Pittsburgh; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$1,638.23 from \$450,000.00 to \$448,361.77.

Also,

No. 3373 Resolution amending Resolution No. 315, eff. April 25, 1980, entitled "Providing for a Contract or Contracts for the installation and removal of Flashing School Signs (PW 79-24); and providing for the payment of the costs thereof, by decreasing the total project allocation by \$2.10 (from \$60,000.00 to \$59,997.90), chargeable to and payable from 4-01-10-0495-79-25-79-01.

Which were read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until

or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 3374 Resolution providing for the issuance of a warrant in favor of the Pennsylvania Drilling Co., in the amount of \$3,500.00 for drilling foundations on a retaining wall on Hartford Street, chargeable to and payable from Code Account 3-01-35-0001-91, Capital Construction Division.

(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 3375 Resolution granting unto Cara A. Ferrie, 1703 Crosby Avenue, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a fence on a portion of the right-of-way of Fallowfield Avenue, a 20' foot way in the 19th Ward, 4th District, of the City of Pittsburgh. This request is made by Cara A. Ferrie for an extension of her backyard.

Also,

No. 3376 Resolution granting unto Independent Resources East, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) laterals and a landscaped area on a portion of the sidewalk of N. Winebiddle and Dearborn Streets in the 10th Ward, 7th District of the City of Pittsburgh. This request is made by Independent Resources East, 7925 Hill Avenue,

Pgh., PA 15221, that due to the type and manor of construction, the encroachment into the right-of-way is the only feasible way to go.

Also,

No. 3377 Resolution granting unto Patricia Gornick, 1515 Eckert Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a retaining wall on a portion of the right-of-way of Knapp Street in the 27th Ward, 1st District of the City of Pittsburgh. This request is made by Patricia Gornick to increase the safety and functional utility of Knapp Street by providing an area for traffic to pass and a parking area.

Also,

No. 3378 Resolution vacating Cygnet Street, beginning at a point on the northeast corner of North Braddock Avenue and Cygnet Street, thence along Cygnet Street S 66 38'E a distance of 143.95 ft. to a point, thence crossing Cygnet Street in a southwestwardly direction a distance of 25 ft. more or less to a point, thence in a northwesterly direction N 66 38'W a distance of 131.25 ft. to a point at the corner of North Braddock Avenue and Cygnet Street, thence along North Braddock Avenue N 29 59' 40" E a distance of 25 ft. to place beginning in the 14th Ward, 5th Voting District of the City of Pittsburgh. The petitioners, Shady Lane School, 100 North Braddock Avenue, Pgh., PA 15208 have requested this vacation for expansion purposes.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 3379 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX,

"Property Taxes", Chapter 263, "Real Property Tax", Section 263.01. "Levy and Rate on Lands and Buildings", by levying the real property tax for 1992.

(179.4 mills on land, 31 mills on buildings)

---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 3380 Resolution approving execution of Contracts for Disposition of Land by and between the URA of Pgh. and various Redevelopers for the sale of properties in the City of Pittsburgh, Council Districts 7 & 9. (SIDEYARDS)

Also,

No. 3381 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned properties, under the Residential Land Reserve Fund, Council Districts 7 & 9. (SIDEYARDS/REAR YARDS)

Also,

No. 3382 Resolution amending Resolution No. 507 eff. May 30, 1991 as amended by Res. Nos. 706 and 956 of 1991, for the filing of a Community Development statement by the City of Pittsburgh with the U.S.

Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program," so as to reprogram funds in the City Planning Department and the Department of Engineering and Construction; the Department of Fire and the Urban Redevelopment Authority. Dept. of City Planning (- \$25,000.00) and the Dept. of Fire (- \$175,000.00) and creating a line item in the Dept. of Engineering & Construction (Wall Reconstruction Program + \$25,000.00) and increasing the URA "Crawford Roberts Renewal" project from \$200,000.00 to \$375,000.00 (+ \$175,000.00).

Also,

No. 3383 Resolution amending Section 10 of Resolution No. 301, eff. April 24, 1984, as amended by Resolution No. 728, eff. August 21, 1984, by Resolution No. 284, eff. March 30, 1987, by Res. No. 548 of 1989, by Resolution Nos. 136 and 1180 of 1990, and by Resolution No. 876 of 1991 entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Redevelopment for a grant in connection with the 1984 Community Development Block Grant Program," so as to reprogram funds from Engineering and Construction to the Urban Redevelopment Authority. (- \$75,000.00) and creating a line item in the URA (Lawrenceville/Doughboy Improvements + \$75,000.00).

Also,

No. 3384 Resolution amending Section 1 of Res. No. 43 of 1976, as previously amended by Res. No. 43 of 1976 as previously amended by Res. Nos. 45, 109, 162, 167, 586 and 633 of 1976, and by Res. No. 39 of 1979, and by Res. No. 440 of 1980, and by Res. No. 554 of 1982, and by Res. No. 99 of 1990 entitled "Providing for the establishment of program categories for

the Community Development Block Grant Program Trust Fund and the Model Cities Program Trust Fund," so as to reprogram funds from City Council to City Planning. The purpose of this action is to "close-out" inactive project accounts in a variety of City Departments and reprogram these funds to the Dept. of City Planning - Salaries and Indirect Costs account where the funds can immediately be used for Administrative and Indirect Costs thus "closing-out" past CDBG program accounts - years 1975 - 1991. There are 10 separate Community Development Block Grant budget amendments with 12 pieces of companion legislation which "unencumbers balances" from project line items.

Also,

No. 3385 Resolution amending Res. No. 1046 of 1976, as previously amended by Res. No. 551 of 1977, Res. Nos. 595 and 596 of 1978, Res. No. 591 of 1979, Res. No. 1418 of 1981, Res. No. 151 of 1982, Res. No. 104 of 1986 and by Res. No. 704 of 1987 and Res. No. 142 of 1990, entitled "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1977 Community Development Block Grant", by decreasing a line item in City Council and adding reprogrammed funds to City Planning.

Also,

No. 3386 Resolution amending Section 11 of Res. No. 1549 of 1978, previously amended by Res. Nos. 251, 317 and 649 of 1979, by Res. Nos. 286 and 1192 of 1980, by Res. No. 1203 of 1981, by Res. Nos. 383 and 1013 of 1983, by Res. No. 100 of 1986, by Res. No. 677 of 1987, and by Res. No. 140 of 1990 entitled "Providing for the filing of an application with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 CDBG Program", so as to reduce line items

in the Dept. of Public Works and the Dept. of Housing and add reprogrammed funds to City Planning.

Also,

No. 3387 Resolution amending Section 11 of Res. No. 1420, eff. December 31, 1980, as previously amended by Res. Nos. 359 and 835 of 1981, by Res. Nos. 417 and 830 of 1982, by Res. Nos. 212 and 1012 of 1983, by Res. No. 151 of 1984, by Res. No. 115 of 1988 and by Res. Nos. 138 and 1179 of 1990 entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1981 Community Development Block Grant Program," so as to decrease funds in City Council and reprogram these funds to the Department of City Planning.

Also,

No. 3388 Resolution amending Section 10 of Res. No. 167, eff. March 7, 1983, as amended by Res. Nos. 394 and 692 of 1983, by Res. No. 940 of 1984, by Res. No. 634 of 1985, by Res. Nos. 103, 177, 515 and 660 of 1986, by Res. Nos. 286, 443, 502 and 705 of 1987, by Res. No. 549 of 1989, by Res. No. 137 of 1990 and Res. No. 38 of 1991, entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1983 Community Development Block Grant Program", so as to reprogram funds in the Department of City Planning and City Council.

Also,

No. 3389 Resolution amending Section 10 of Res. No. 1150 of 1984 as amended by Res. No. 635 of 1985 and by Res. No. 285 of 1987 and by Res. No. 50 of 1989 and Res. Nos. 135 and

1181 of 1990 entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1985 Community Development Block Grant Program", so as to reprogram funds in the Department of City Planning and City Council.

Also,

No. 3390 Resolution amending Section 10 of Res. No. 234 of 1986, as amended by Res. No. 1180 of 1986, by Res. No. 43 of 1987, by Res. No. 1009 of 1987, by Res. No. 715 of 1989, by Res. Nos. 133, 875 and 1182 of 1990, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program," so as to reprogram funds in the Department of Engineering and Construction and City Planning.

Also,

No. 3391 Resolution amending Section 10 of Res. No. 1181 eff. December 26, 1986, as amended by Res. No. 198 eff. March 13, 1987, Res. No. 584, eff. July 27, 1987, Res. Nos. 758 and 1065 of 1987, Res. No. 517 of 1988, Res. No. 328 of 1989, Res. Nos. 134 and 1183 of 1990 and by Res. No. 202 of 1991 entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1987 Community Development Block Grant Program," so as to reprogram funds in City Council, Department of Engineering and Construction, and the Department of City Planning.

Also,

No. 3392 Resolution amending Res. No. 448, eff. June 16, 1988 as amended by Res. No. 627 eff. August 2, 1989, and Res. Nos. 132 and 1184 of 1990 and Res. No. 201 of 1991 entitled, "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program," so as to reprogram funds in City Council, Department of Engineering & Construction and Department of City Planning.

Also,

No. 3393 Resolution amending Section 10 of Res. No. 79, eff. March 7, 1989, as amended by Res. No. 776 of 1989 and by Res. No. 874 of 1990, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1989 Community Development Block Grant Program," so as to delete a line item in City Council and increase a line item in the Department of City Planning.

Also,

No. 3394 Resolution amending Res. No. 795, eff. August 23, 1985, as amended by Res. No. 410, eff. May 14, 1986 entitled "Providing for an Agreement or Agreements with the Spring Garden Neighborhood Council and/or the Esplan Citizen's Council for capital assistance improvement programs, in the amount not to exceed \$50,000.00," so as to reduce the appropriation to "- \$0.00 -", chargeable to and payable from the 1985 CDBG Program, "Unspecified Local Options" (CC-85-01).

Also,

No. 3395 Resolution amending Res. No. 781, eff. August 19, 1985, entitled "Resolution providing for an Agreement or Agreements with Agency or Agencies to provide support to community-based organizations," so as to reduce the amount appropriated from \$253,000.00 to \$251,201.89 (- \$1,798.11), chargeable to and payable from the 1985 CDBG Program, "Unspecified Local Option", (CC-85-01).

Also,

No. 3396 Resolution amending Res. No. 154, eff. March 12, 1984 as amended by Res. No. 1389, eff. Dec. 31, 1990, entitled, "Providing for an Agreement or Agreements with the Lawrenceville Citizens Council, Inc., located on 37th Street in Lawrenceville to provide for general rehabilitation work on the old Saint Augustine's School Building which would be used for various community activities, reducing the encumbered amount from \$35,000.00 to \$18,692.10," so as to further reduce the amount encumbered from \$18,692.10 to \$4,522.10.

Also,

No. 3397 Resolution amending Res. No. 828, eff. August 3, 1978 which "provided for the Director of Public Works to award contracts for work at the Phoenix-Hill Shopping Center - Relocation of the Carnegie Library (Wylie Avenue Branch), at a cost not to exceed \$175,282.63", so as to reduce the amount appropriated from \$175,282.63 to \$174,948.58 (- \$334.05).

Also,

No. 3398 Resolution amending Ordinance No. 646, eff. November 10, 1976 entitled "An Ordinance providing for the letting of a contract or contracts for the furnishing and delivery of Automotive Equipment, less trade-ins for the Dept. of Supplies and for the payment

thereof," so as to reduce the amount appropriated from \$200,000.00 to \$172,315.31, chargeable to and payable from the 1975 CDBG Program Trust Fund, Unspecified Local Option.

Also,

No. 3399 Resolution amending Res. No. 506, eff. June 4, 1979, entitled "Providing for an Agreement or Agreements with Housing Opportunities, Inc., to provide financial counseling to purchasers of houses in the Homewood-Brushton House Sale, and providing for the payment of the cost thereof," so as to reduce the amount appropriated from \$25,000.00 to \$23,969.22 (- \$1,030.78), chargeable to and payable from the 1979 CDBG Trust Fund, Dept. of Housing, CDHD (HD-79-18).

Also,

No. 3400 Resolution amending Res. No. 711, eff. August 13, 1987 entitled, Resolution amending Res. No. 675 of 1986 entitled: "Providing for an agreement or agreements with a consultant or consultants for the purpose of providing architectural and design services, market studies, promotional activities, Main Street commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program increasing funding to include additional projects", so as to reduce the amount appropriated from \$445,000.00 to \$442,572.26.

Also,

No. 3401 Resolution amending Res. No. 685, eff. August 29, 1988, entitled "Providing for an agreement or agreements with the Spring Garden Neighborhood Council, Inc., for professional services in an amount not to exceed \$20,000.00" and to provide for the 'Repair and

Replacement of Sidewalks' in the Spring Garden Neighborhood", so as to reduce the amount appropriated from \$20,000.00 to \$19,719.69, chargeable to and payable from the 1988 CDBG Program, City Council (CC-88-02), "Spring Garden Neighborhood Council".

Also,

No. 3402 Resolution amending Res. No. 231, eff. March 6, 1987 entitled "Resolution providing for an Agreement or Agreements with the Hunger Action Coalition for administrative assistance and operating funds for their Penn Avenue office in an amount not to exceed \$50,000.00", so as to reduce the amount appropriated from \$50,000.00 to \$49,374.11, chargeable to and payable from the 1987 CDBG Program - City Council, Hunger Action Coalition (CC-87-02).

Also,

No. 3403 Resolution amending Res. No. 634, eff. August 12, 1988 entitled "Providing for an agreement or agreements with the Pittsburgh Community Services, Inc., for the implementation of the Home Security Program including Block Watch Organizers, and the installation of locks and smoke detectors in the City, in an amount not to exceed \$280,000.00," so as to reduce the amount appropriated from \$280,000.00 to \$275,914.60.

Also,

No. 3404 Resolution amending Res. No. 302, eff. April 13, 1989, entitled "Providing for an agreement or agreements with Garfield YMCA for administrative support in an amount not to exceed \$20,000.00," so as to reduce the amount appropriated from \$20,000.00 to \$19,836.51, chargeable to and payable from the 1989 CDBG Program, City Council, "YMCA Garfield", (CC-89-33).

Also,

No. 3405 Resolution Repealing Res. No. 280, eff. April 13, 1989, entitled "Resolution providing for an agreement or agreements with the Perry North Senior Center for administrative support in an amount not to exceed \$20,000.00, chargeable to and payable from the 1989 CDBG Program, City Council, "Perry North Senior Center", (CC-89-08).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 3406 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 256, Home Rule realty Transfer Tax, Sections 256.02 (a), Levy and Rate, and 256.03, Exceptions, by changing the rate of tax and by conforming the exceptions to amendments of the Enabling Act.
(Present Rate 1 1/2 %)

Also,

No. 3407 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax, Section 243.02, Tax Levy and Rate, by changing the rate of tax. (Present Rate 6 mills)

Also,

No. 3408 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 247, Institution and Service Privilege Tax, Section 247.02, Tax Levy and Rate by changing the rate of tax. (Present Rate 6 mills)

Also,

No. 3409 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 253, Parking Tax, Section 253.02, Tax Levy and Rate, by changing the rate of tax. (Present Rate 25 %)

Also,

No. 3410 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 241, Amusement Tax, Section 241.04, Amusement Tax Computation, by changing the general rate found in Subsection (a).
(Present Rate 10 %)

Also,

No. 3411 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 245, Earned Income Tax, Section 245.02, Levy and Rate, by changing the rate of the tax. (Present Rate 1 %)

Also,

No. 3412 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 249, Mercantile License Fees and Tax, Section 249.04, Tax Rate, by changing the rate of tax.
(Present Rate - Wholesale Vendors 1 mill)
(Present Rate - Retail Vendors 2 mills)
(Present Rate - Restaurants 2 mills)

Also,

No. 3413 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 251, Occupation Privilege Tax, Section 251.02, Levy and Rate, by changing the rate of tax. (Present

Rate \$10.00)

Also,

No. 3414 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 255, Realty Transfer Tax, Sections 255.02(a), Levy and Rate, and 255.03, Exceptions, by changing the rate of tax and by conforming the Exceptions to amendments of the Enabling Act. (Present Rate 1 %)

Also,

No. 3415 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Chapter 261, Personal Property Tax, Section 261.02, Levy and Rate, by changing the rate of tax.

(Present Rate 4 mills)

Also,

No. 3416 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 263, "Real Property Tax", Section 263.01, "Levy and Rate on Lands and Buildings", by levying the real property tax for 1992.

(Present Rate 184.5 mills on land, 32 mills on Buildings)

Also,

No. 3417 Resolution authorizing and directing the Director of Finance, on behalf of the City of Pittsburgh, to enter into a Forward Purchase Agreement in connection with the City's General Obligation Bond Issue, Series of 1985, by and among Mellon Bank, N.A. and Mitsui Taiyo Kobe Global Capital, Inc. Any excess proceeds which may be generated by this Forward Purchase Agreement shall be deposited into the Bond Sinking Fund.

Which were severally read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 3418 Resolution providing for the issuance of a \$825.00 warrant in favor of John P. and John F. Abriola, in settlement of claim for sidewalk damage at 259 Semple Street, payable from Code Account No. 46, Judgments. The damage to the sidewalk was caused by City tree roots.

Also,

No. 3419 Resolution authorizing the Mayor and the City Solicitor to enter into an agreement with Neighborhood Legal Services Association to provide legal representation to indigent city residents in connection with domestic violence or other domestic legal problems, at a cost not to exceed \$4,500.00, chargeable to and payable from Code Account 1075, Misc. Services, Dept. of Law.

Also,

No. 3420 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 3421 Resolution providing for the conveyance of certain property in the 25th Ward, City of Pittsburgh, designated as Block 45 S, Lot 356 (2215 Strauss Street) to Mark L. Munsch, for the sum of \$350.00 + Costs. The property is a vacant lot 13.27' x avg. 52.38'.

Also,

No. 3422 Resolution Repealing Res. No. 906, Item H, eff. October 9, 1991, which repealed Resolution No. 690, Item I, eff. June 11, 1990, which authorized the sale of four lots 12.3 x 77; 12.87 x 73; 12.07 x 73; and 12.5 x 73, located at 709-711-713 & 715 Columbia Way, 25th Ward, Block 23 E, Lots 314-315-316 & 317, to Gregory Mucha, for the sum of \$1,000.00. The reason for repealing Item H of Resolution No. 906, effective October 9, 1991 is that the Balance Payment was received after the Forfeiture proceedings were initiated. (Council District #2)

Which were severally read and referred to the Committee on Finance.

Also,

No. 3423 Resolution authorizing a Cooperation Agreement or Agreements between the City, the URA of Pittsburgh and the Housing Authority of the City of Pittsburgh for the purchase of the John P. Robin Civic Building located at 200 Ross Street, Pgh., PA 15219. The costs authorized for the payment of the City's share of the purchase price shall not exceed \$1,100,000.00, which sum shall be payable from Code Account Ross Street Acquisition 03-30-01-0036-92.

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 3424 Resolution transferring the amount of \$200,000.00 to Code Account 1818, Wages, Regular and Temp. Employees from Code Account SSFSP, Special Summer Food Service Program, in the Dept. of Parks and Recreation. This Resolution shall be effective upon signature of the Mayor.

Which was read and referred to the Committee on Finance.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 3425 Resolution authorizing the issuance of a warrant in favor of Rochez Bros., Inc., in the amount of \$821.52 in payment for the purchase of cinders for Frick Park Trails furnished for the benefit of the City, chargeable to and payable from Code Account FPTF, Frick Park Trust Fund, in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Mr. Ferlo:

Mr. President, have we heard a response from the Wholey Company regarding the letter we sent?

Mr. Perry:

No, sir.

Michelle Madoff:

Mr. President, I don't know whether this falls under the category of Unfinished Business, but I had requested specifically the legislation today that will come up for a vote on the collection agency for the Water Department provide us with a list of those accounts that will be turned over to collection.

I have some information. At the time we talked about the bill, we didn't have complete information. This falls under Old Business but I'll talk about it when we get to the bill.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3426

Report of the Committee on Finance for November 6, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3319

A Resolution entitled, "Resolution providing for the issuance of a \$905.61 warrant in favor of Lori Cochran for vehicle damage."

Which was read.

Also,

Bill No. 3320

A Resolution entitled, "Resolution providing for the issuance of a \$1,795.11 warrant in favor of Steve E. Yesnick in settlement of claim for automobile damage."

Which was read.

Also,

Bill No. 3321

A Resolution entitled, "Resolution providing for the issuance of a \$2,950.00 warrant in favor of Louis Butler in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3322

A Resolution entitled, "Resolution amending Resolution No. 513 of 1987 entitled 'Providing for an agreement or agreements with various agencies for job development and employment services in connection with the Pittsburgh Partnership Employment Program and providing for the payment thereof,' by decreasing the aggregate amount of the Resolution by \$154.60."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. RICCIARDI ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3323

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public

Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219, in the amount of \$1,600.00, in payment for professional consulting services rendered to Gene Ricciardi for the month of November 1991."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3318

A Resolution entitled, "Resolution providing for the lease or leases of certain property on the second floor of 1700 East Carson Street from November 1, 1991 for a term of 24 months, at a rental of \$7,252.67 per month, for classroom and office space upon certain terms and conditions, and providing for the payment of cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3333

A Resolution entitled, "Resolution providing for the transfer of funds totalling \$20,000.00 (twenty thousand dollars) to Supplies and Materials, Code Account 1172, Index Code 117200, Department of Environmental Services from Workers Compensation, Code Account 1927-9, Index Code 192799, Department of Water."

Which was read.

Also,

Bill No. 3348

A Resolution entitled, "Resolution transferring the sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) from Code Account 53, Debt Service - Auditorium Authority of Pittsburgh and Allegheny County (005306) to Code Account 57-1 Retirement Severance Pay - Sick Leave (005710) Department of Finance.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 3427

Report of the Committee on Planning, Housing and Development for November 6, 1991 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3179

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine 'Zoning', Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing: From 'M4' Heavy Industrial District to 'C3' Commercial District all that certain property consisting of Lot No. 164, Block 80-K in the Allegheny County Lot and Block System, having 140 feet of frontage along the southerly side of HATFIELD STREET between FORTY-SEVENTH and FORTY-EIGHTH STREETS, 9th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

Bill No. 3428

Report of the Committee on Water for November 6, 1991 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3270

A Resolution entitled, "Resolution authorizing an Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection of delinquent water charges, fines, penalties and interest due the City of Pittsburgh, as agent for the Pittsburgh Water and Sewer Authority, at a cost not to exceed \$300,000.00, chargeable to and payable from Code Account 1922 (192203), Miscellaneous Services, Department of Water." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

I have before me a printout of the delinquent accounts for the Water Department. The printout is only the accounts that are delinquent over \$500 and exceed 150 days. The total delinquency presently is \$13.5 million. The outstanding account, it starts with \$13,129 and I think the last one on this list goes down to about \$500. I want you to get an idea of what it looks like. Is anybody watching? This is what it looks like.

Now, if anybody thinks that I'm upset or angry, you're right. I am. I want to tell you what my concerns are, why I'm angry, and how things get distorted by people who don't understand and by the media on occasion.

I went to the meeting at the Water and Sewer Authority to ask them please not to raise the water rates because my feelings were that we could bring in a portion of the money this year, very rapidly, of the outstanding delinquencies. There would be no reason to raise the water rates.

I was told that what we ought to do is turn it over to collections because we have just gone on for a very long time. But there may be some validity to that because let me go back very quickly and explain the history.

In the 13-1/2 years that I have been here we have gone through numerous directors. And every time we get a director, the director says, "But I've only been here a year." And the next one says, "But I've only been here two years." And the next one says, "I've only been here three years." And the next one says, "I've only been here four years." And then we get another director and she says, "I've only been here a year." And then another director who says, "I've only been here four months." But meanwhile, the delinquencies go on and on and on and on.

Now, it is true that for many years under the previous Administration there was really no attempt made to do anything about water bills. And the laws do not enable us to collect and lien and do lots of things that we can do on taxes, except go to court. It's just almost impossible. But there options and things that we can do.

I understand. I'm not stupid. I used to run the largest discount house in the United States. I was a credit manager for the largest discount house in the United States. I know there are times when you have to put things out to a collection agency. What should they be? They should be where the buildings have been demolished, where people have left the City, where it's ten years old, where we just really have no hope.

Clarence Perkins is head of the Water Department and I think he's doing an admirable job of trying to do the best he can with the limitations that are put upon him. He can't be Xeroxed. He can't do collections if he doesn't have people to do things. So I am not blaming Clarence. He and I have a very good working relationship.

However, I spoke to him yesterday during the holiday and we had a long chat. He would like to turn everything prior to 1985 over to collections. And we were supposed to have a list providing us with which accounts will be eligible for collection.

Let me tell you what the real problem is. When you go after the deadbeat, the deadbeat who is being supported by the senior citizen and people on fixed incomes who pay every month, and people who are harassed into paying who shouldn't be, and don't have a chance to be properly heard, we know who they are. As I said before, even the Mayor's Assistant had a problem. But it should be marked "under negotiation" and they shouldn't be hassled.

When we really look at this problem, there is no doubt that a large sum of money could have come in. In the past years, the previous directors addressed this issue of delinquent accounts.

My great concern is this: When Mr. Deadbeat, and we know who he is, or Ms. Deadbeat, gets caught, let me repeat what's going to happen: By April of 1992, not too far away, those who have not paid their water bills, their water is going to be shut off. I suggest strongly that you come in and come in with a plan to pay, a negotiated plan to pay your water bill.

But what happens is that the creep, the deadbeat that doesn't pay his water bill gets it shut off and guess what it costs to put it on again?

Thirty bucks. It's worth it to him not to pay the bill. He can invest his money when you have \$13,000 or \$11,000.

There's no question in my mind that we need some legislation empowering the Water Department, State legislation, that doesn't tie up, the same kind of legislation that we have on abandoned properties, the same kind of legislation that we have on delinquent taxes. We don't have that protection in the Water Department.

What we can do now, as I understand, we can harass them but we really have some serious problems.

And my biggest concern is those of us who have paid our water bill are going to say, why should we give money back to those who haven't read their water meters. It's insane.

And I just think that the reason I'm so angry and heated up today is that I went to the Water Meeting and State Representative Preston attacked me that they only hear about the Water Department once a year or every two years I show up at the Water and Sewer Authority and I'm never heard of in between. Aren't my colleagues tired of hearing me talk about the Water Department? It isn't something I just do every now and again.

He said, "You had an opportunity to serve on the Water and Sewer Authority and you didn't take it but you're here complaining." I am a firm believer, as was the Advisory Committee to the Administration on Ethics, that said that no elected official should sit on the Water and Sewer Authority or any authority or commission.

I don't care what anybody says. We may be as honest as the day is long —

The Chair:

Councilwoman Madoff, that's not the issue in front of us.

Michelle Madoff:

It is the issue.

The Chair:

No, it isn't.

Michelle Madoff:

I am responding to —

The Chair:

Bill No. 3270 is in front of us in regards to a collection agency collecting what you have in your hand.

Michelle Madoff:

The reason I won't sit on an authority is because of patronage. We all know what happened in Alcosan for years.

But the issue, you're right, is the delinquent accounts. What is being presented to us today is that we're going to spend no more than \$300,000 for a collection agency. I can't vote for it. I think we can do it in-house. I can train people. I think we're making a mistake and we're sending the wrong message. I urge you to turn that bill back and make sure that Mr. Turner and the Administration understands that it takes money to make money. You have got to put some people in the Water Department who are experts in collection. I think I have made my case.

Mr. Ricciardi:

With all due respect to my colleague and friend, Michelle Madoff, I think she made the best argument why this bill should be passed, and that's basically that it's unfair for people that are paying their bills to keep subsidizing delinquent accounts, and this is exactly what this bill will do.

If I may finish, Michelle. I see she's getting up to her mike; I'm glad both of those mikes are shut off, by the way. The one she's using is not working either.

But on the serious note, this is exactly what this bill is, for the hard-core delinquent accounts. We could hire extra staff in the Water Department, but you really need trained professional individuals working through a collection agency that know the laws, make sure they don't harass people but make sure that money comes in. And I think the best argument for this bill was made by my colleague, Michelle, and I will be voting for the bill.

Michelle Madoff:

Mr. President, I left a very important point out. The collection agency charges between 25 and 40 percent. And that delinquent account is going to pay only when pressured and I see no reason to pay 25 to 40 percent away.

Mr. Ricciardi:

That's not true. There's a cap on it, Mr. President, if we would read the bill.

The Chair:

Thirty percent or \$300,000.

Michelle Madoff:

That's still a lot of money for people who

are chronically delinquent.

Mr. Ferlo:

I just want to say that I respect Michelle's opinion and obviously I'm opposed to the water rate hike and I'll address that with some other legislation regarding property taxes.

But in terms of this specific bill, this is an amended bill and, first of all, your concern that this does not have a cap, this does have a 30 percent cap and also a dollar figure of \$300,000.

The \$300,000 or whatever that other sum is of the uncollectible debt being \$7 million, we've heard different figures in the last couple years, I think it's money well spent. It does have safeguards in the money, the percentage, and also the department will exhaust efforts internally.

Michelle Madoff:

I'd like to offer an amendment to the bill, to be put into the bill that the account could only be turned over for collection prior to 1985. I spoke to Clarence Perkins and that's what he said he would do and I'd like to make it part of the legislation, then I could vote for it.

Mr. Ricciardi:

Amendments have to be in writing.

Michelle Madoff:

Hold it until I can get it in writing. Hold it a week. I talked to Clarence and he said that we'll turn only those bills prior to 1985.

The Chair:

The amendment is invalid and the only way it could be valid is if we held the bill.

Mr. Ferlo seconded the motion.

The Chair:

On the recommittal, first off, I want to state that I don't support the amendment. I don't see anything wrong with collecting bills from 1985 forward by this collection agency. If there is a large outstanding bill out there. And I think the lay of implementation of this bill prevents us from collecting monies due for the City of Pittsburgh.

Michelle Madoff:

May I respond? I have first-hand experience and I'm now getting 50 to 100 accounts and I'm going to call and ask why these aren't paid. And I will tell you that by making four hours of telephone calls, I brought in \$16,000 and the money was paid when I checked it.

I don't think we need to send current accounts to a collection agency. I will support sending accounts before 1985 simply because the system wasn't in place.

Mr. Ricciardi:

I think on recommittal that every day, every week is costing the City of Pittsburgh additional revenues.

The bottom line is that these are monies that could not be collected by the City of Pittsburgh because we really don't have the expertise or even know the law well enough to collect these monies. There's every safeguard in this bill.

I want to make sure that the water rate payer and the taxpayer know that these are people that are not paying their bills. These are people that have refused to come in to be part of a

payment program. These are people who have not responded to our correspondence. These are people that have refused to come before the Water Exoneration Board and state their case. These are deadbeats. These are people that are not paying their bills.

Let's pass this legislation, let's employ a professional collection agency, and let's get money back into the system. Michelle Madoff has made the greatest argument why this bill should be passed, so I would respectfully ask my colleagues to vote against recommittal and let's pass this. Please call the question.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff

AYES 1

NOES 8

VOTING NO:

Mr. Cohen

Mr. Milliones

Mr. Coyne

Mr. Regan

Mr. Darkins

Mr. Ricciardi

Mr. Ferlo

Mr. Wagner

(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. REGAN VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

I would like to add a comment. I would like a letter to go to Mr. Perkins asking for an update on the delinquency and the collection program every 90 days to be provided to City Council. In other words, the amount of monies collected, the amount of monies outstanding, the amount of water shut off or proposed to be shut off, in a detailed report of the status of the collections and the outstanding collections.

Michelle Madoff:

I'd like to add one item to that. Let's start publishing the deadbeats' names in the paper. That may do more to get the money than anything.

The Chair:

Thank you.

MOTIONS AND RESOLUTIONS

Mr. Coyne:

Mr. Chairman, I would like a letter to go from Council to the Department of Parks to find out what is going on exactly with the Skating Rink at Schenley Park. I find it very disturbing at this time that the Skating Rink isn't open yet.

In looking into this issue, I found that one individual who was laid off was the man who managed the Schenley Park Skating Rink. To me it makes no sense. It's sitting there unused right now and we have residents, hockey players, skaters, who want to get out there and skate. We're turning down money that we could be making.

So, I would just like a letter to go from Council to the Department of Parks and Recreation to find out exactly what is going on there.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. President and Members of Council, I know thing that disturbed me greatly was the information as of Friday regarding the vote by the Water and Sewer Authority Board to raise water rates some 8.5 percent. We know from learning more about the issue part of that money, roughly \$4 million is to come back to the City. It's arguable; I argue that it's nothing more than a tax hike.

None the less, I think most of us agree that the Water and Sewer Authority increase is unfair. I also think that just look at that vote, Michelle mentioned Joe Preston and he actually voted against the rate hike.

At the time I tried to block the appointment of a number of staff people. I voted twice now against appointments of staff people to the Authority for this very reason. The fact of the matter is that people, especially Mayoral appointments who are staff people in the Administration, will not be independent and I hope that we will be talking to some of that in the future when other appointments come up.

But specifically on the rate increase, the legislation today, and I ask Council to keep an open mind, to vote to lower property tax, real estate property taxes, both on lands and buildings roughly to the equivalent of what is anticipated to be received in revenues resulting in a water rate hike. So, if the Administration would take in roughly \$4 million as opposed to raising water rates 8.5 percent, Council should not just sit here and wring our hands. I think there's something we can do and I'm proposing the legislation I introduced today to be reviewed and held for a public hearing and debated at the tax hearings, and that is lower real estate property taxes, lands and buildings.

I would ask Council to please keep an open mind when they make their decision.

The Chair:

We need a motion to recess this meeting and meet again at 2:00 p.m. for the Mayor's 1992 Budget Proposal.

Mr. Milliones:

So moved.

Mr. Regan seconded the motion.

And on the motion of **Mr. Milliones**

Council recessed.

Pittsburgh, PA
November 12, 1991

And the hour of 2:00 p.m. having arrived and the time of recess having expired, Council reconvened.

The Chair:

I'd like to ask two of my colleagues, the senior Member of Council, Councilwoman Madoff, and the Finance Chairman, Councilman Milliones, to please escort the Mayor into Council Chambers. The purpose being to present the 1992 Proposed Budget to Pittsburgh City Council.

Ladies and gentlemen, Mayor Sophie Masloff to present her 1992 Proposed Budget to Pittsburgh City Council and the residents of the City of Pittsburgh.

Mayor Masloff:

Thank you, Jack.

Mr. President, Members of Council, ladies and gentlemen:

Just about every Saturday morning, I go to the Strip District to do my marketing. It has always been a joy for me.

Since I've been Mayor, I have continued to go, even though now it's more like a walking town meeting than a shopping trip. It is important to get out and to listen. And, thank goodness, people are very frank with me. They tell me

straight what's on their minds: what they think is working, what they think isn't working.

But for more than a year, I've been noticing a real change in the things people are saying. They know very well we're in a recession and our budget is tight. Their budgets have been tight for quite a while. But, there is a fear and pain being expressed lately that is new. People really don't understand how they could empty the Treasury in Washington — hundreds of billions of dollars — to pay for the savings and loan rip-offs while cutting job re-training, early education, or housing and doing nothing about health insurance.

So, I was not surprised last week when Senator Harris Wofford won a smashing victory. Even though some might see this as a party victory, I do not. This was no an election about Democrats or Republicans.

The shout the whole country heard last Tuesday, the roar from our ballot boxes, was anger and outrage — anger and outrage against indifferent elected officials everywhere. No one in touch with our people's feelings of abandonment toward so much of their government could have been surprised.

When I became Mayor in 1988, I thought that everything negative that could be done against the cities and the people in the cities had been done already. After eight years of federal neglect, our cities were like widows. The main provider had been dead for a long time, and the company had shut off almost all the benefits.

I had already seen the consequences when I was on City Council and the Mayor struggled to find some substitute for lost revenue-sharing money, lost UDAG money, lost Block Grant money, lost housing money, lost job training money. We agonized as many of our people tried to make jobs flipping hamburgers

replace jobs making steel. All that saved many families' standard of living was that women went to work.

I lost track counting the number of times Mayor Caliguiri and David Matter went to Washington or to Harrisburg and came back with nothing except shock at the indifference they had met. Out of necessity, they forged a working motto: Outside help is good; self-reliance is better.

By 1987, Washington had already largely abandoned local public investment in education, job training, infrastructure, public parks, and housing. We had no choice but to learn to go it alone.

But, in the three years I've been Mayor, we've encountered a new set of obstacles. In addition to the neglect and indifference, we now have a no-growth economy and a frightened and partly bankrupt financial system.

I imagine it is easier to be a good manager when the size of the pie is increasing. But, when things are stagnant and jobs and worthy projects are dying for want of capital and credit, being a good manager requires that you be a very tough manager. And the one thing you cannot do when you are trying to get through a recession and create a healthy climate for young families in our cities is to raise taxes. I repeat today the pledge I have made before. I will not raise taxes.

What Pittsburghers expect from their City government is clear. When times are good, they expect great, even dramatic advances. When times are tough, they expect us to get by, to provide excellent services for less money. They want the basics done on time and done right. And, above all, they want everything done within budget. That's how you hold the line on taxes. What people don't want is excuses or bickering. They want us to cooperate and work together.

The 1992 Operating Budget I submit to you today is a tough budget. It continues the process of cutting and savings we began two years ago. I am very proud that this Administration has, against all odds, produced saving after saving and made a balanced budget a reality.

By the end of the coming year, we will have reorganized and trimmed down every major department of the City. Pittsburgh is doing a remarkable job managing scarce resources. And while that may seem obvious and not at all dramatic, the truth is that we are one of the very few cities in the industrial belt of America that is holding its own in spite of federal neglect and a major recession. Now is as good a time as any to stress what we are doing to keep Pittsburgh ahead, to keep Pittsburgh healthy.

Let's talk about public safety. As I moved around the City this year, I heard a lot of despair, even cynicism, about the drug problem. People who were living in the middle of the terror and the violence didn't think anything could be done.

Well, I'm here to report to you today that this is one great example of Pittsburgh's comeback spirit in action. Pittsburgh is using its limited resources, along with lots of guts, great community support, and new cooperative arrangements among levels of government to advance the cause. We are fighting this one out on the streets, and we are making progress.

During the past year, we have announced independent parts of our campaign against drugs.

First, we doubled the size of the Pittsburgh Narcotics Unit. We now have 100 officers, both undercover and in uniform, putting on the pressure -- on both day and night shifts.

Second, we have formed an Urban Task

Force with the Pennsylvania Attorney General that will provide us with overtime money, equipment, and drug intelligence, and we are coordinating with the drug task forces of our neighboring communities.

Third, we have been meeting for some time with U.S. Attorney Tom Corbett, and he has agreed to prosecute many of these criminals federally. We believe this will greatly reduce the flow of criminals through the revolving door of the state prison system. Those we arrest for serious narcotics offenses will no longer be able to beat the police back onto our neighborhood streets.

Fourth, we will continue to develop and perfect the computerized drug mapping that has just received a second grant from the National Institute of Justice. This allows us to track drug dealers and purchasers from hot-spot to hot-spot, anticipating their next move. Of the five cities nationwide that are working on this project, we have set the pace here in Pittsburgh. We have had great support and cooperation from Carnegie-Mellon University in this effort.

I know that it's not enough to focus on the law enforcement aspects of the drug problem without addressing the sources of this as a social problem. Together with the United States Department of Justice, we have designed a proposal for a "Weed and Seed" Program that has attracted national attention. We will target a 10-block area in the Hill District with economic development, job training, home remodeling, drug education and, most of all, drug treatment. This area includes our largest and most notorious open drug markets. I believe this program will be successful, and if it is, we will duplicate it throughout our City.

So, what I am saying about drugs is this: Pittsburgh is not throwing in the towel on this as so many cities have. We are fighting this war

street-by-street, block-by-block. We have not built our neighborhoods in order to give any of them away to hoodlums. We are fighting this war without the overwhelming resources we'd like to have. But, we are fighting it smart -- and we are beginning to win.

Now, let me talk for a minute about the Fire Study. For years we have had two constants in our Fire Bureau budgets. First, we have known that the Fire Bureau is a very big-ticket item. Second, we know that Pittsburgh is a very unusual City with many unique fire-safety problems.

I have said that no City department would be off-limits to review for the possibility of making improvements in service and efficiency. What this study was all about for us was the opportunity to get a highly professional, national perspective on our training, equipment, staffing, deployment, and costs, particularly our costs.

Fire Chief Dickinson will announce our final plan at the hearing tomorrow. For now, let me say simply this: We have found great value in the Study, and we have used it to produce a plan which will achieve our goal of improved safety and greater efficiency.

Now, we need to discuss one more major area of our budget as it relates to the future of our City -- our regional facilities and attractions.

As I have said before, the support that was appropriate when we were a City of 670,000 -- with the tax base to go with it -- is no longer appropriate today. As our population has spread to other towns and counties, our ability to continue to pay for these attractions has been diminished. And it is, in any case, just plain bad public policy to keep taxing City residents for the amenities that service the entire region.

No one wants to think of Pittsburgh

without the Zoo, the Conservatory or the Aviary. And we are not alone in having this problem. The County is hit every year, just as the City is, with countless requests from library, musical, and cultural organizations that have a region-wide base of use and importance.

The answer to this dilemma may very well be a broad-based regional management mechanism that will guarantee world class amenities to our region for years to come. We must be prepared to sacrifice some control in exchange for shared responsibility.

Since this single issue is so vital to our fiscal integrity and to our region's future, I am asking the Allegheny Conference to make this problem their primary focus for the coming year. I am asking the conference to give us a blueprint for the future of regional facilities and attractions.

No so long ago, the Conference provided essential leadership as we struggled to clean up our environment and diversify our economy. I am certain that the towns and counties of Greater Pittsburgh will pull together now in response to the Conference's bi-partisan leadership.

While we continue to keep our City fiscally strong and physically safe, we are working to make it economically stronger as well.

Our faith in Pittsburgh's future has been reciprocated by our private sector in spite of very tough economic circumstances.

Our major banks have done a great job in supporting such projects as The City Pride Bakery and Crawford Square. And I am very encouraged that our bank depository policy has helped to increase greatly the amount of mortgage and home improvement lending in our moderate and lower income neighborhoods. In the first year of that program, our five principal

banks lent \$15,300,000 in mortgage and home repair funds to moderate and low income neighborhoods, more than two and one-half times the amount they had been lending.

The U.R.A. has continued its fine steady work in rehabilitating and weatherizing housing units, having finished by now nearly 42,000 housing units, more than 24 percent of our housing stock. In spite of the recession, we are continuing to invest in our future.

I've been through tough times before, and I'm very familiar with the kind of defeatist thinking that can take over. Whenever there is a depression or recession, the impulse is to pull in our horns, take no risks, make no investments.

My position is clear. This Mayor is betting on the future of Pittsburgh.

We will not cut back on our road program. We will increase it. With new equipment and new leadership in the Department of Public Works, we will pave between fifty and sixty miles of road in 1992.

We will not cancel the new Public Safety Building. We will build the new Public Safety Building, starting next year. That complex will save our taxpayers one million dollars per year in prisoner holding and processing alone. Demolition is complete, and site preparation is proceeding.

In addition, Washington's Landing is finally off the drawing board and alive with activity. After personal appeals in Harrisburg, the Department of Environmental Resources has agreed to locate its regional headquarters on our island, and their decision shows our determination to overcome any development obstacle.

The Pittsburgh Technology Center is

now also moving forward with the construction of the University of Pittsburgh Building. Again, we succeeded because we focused on this site and wouldn't take no for an answer.

We have broken ground on Crawford Square, our largest residential development in decades. We will soon have 240 new housing units within walking distance of Downtown.

These projects, along with the Public Safety Complex, represent intense effort and hard-fought battles. They will provide new dollars for our economy and they will create jobs.

By ourselves, we cannot generate all the new jobs we need. But, we can be a catalyst. We can set a course that lets people know that we are betting on the future of this City. And that is what we are doing.

Pittsburgh leadership has a long tradition of doing just that. Our new projects -- Washington's Landing, the Technology Center, Crawford Square -- these are five, ten and twenty-year efforts, efforts that Jack Robin and Mayor Caliguiri began to work on long ago.

Beside working to build buildings and create jobs, the Pittsburgh leadership tradition has also worked on a deeper level to build confidence.

I must tell you that one of the things that has meant most to me during the past year has been the beginning indications that young people are starting to move back to the City, showing their confidence in the future of Pittsburgh.

Our school system is now actively opening up additional elementary schools. That's a sign. Another sign can be seen in our own tax records. They show an increase of nearly 5,000 residents who are paying the earned income tax since we began cutting the tax in 1989.

I believed then that the wage tax was the single greatest obstacle we faced as we tried to attract and to keep young working families in the City. I never expected the cuts to produce immediate results. But the early signs seem positive.

So, how are we doing? The answer is, we're going to be just fine.

Could we use a little help, help from Washington or Harrisburg? Sure we could.

But Pittsburghers learned a long time ago: We don't depend on outsiders to solve our problems. We learned that lesson the hard way, over many years, and we're not going to forget it.

The sacrifices we are making together are

going to pay off.

I thank you.

The Chair:

Thank you, Mayor Masloff.

We need a motion to adjourn this meeting.

Mr. Millions:

So moved.

Mr. Coyne seconded the motion.

And on the motion of **Mr. Millions**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, November 19, 1991

No. 45

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, November 19, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 3472 WHEREAS, The Champions Association, in conjunction with Blue Cross of Western Pennsylvania and Cameron Coca Cola, proudly presents the 16th Annual Willie Stargell Pittsburgh M.V.P. Awards Banquet on Friday, December 6, 1991 at the Allegheny Club; and

WHEREAS, the 1991 Pittsburgh M.V.P. will be Bishop Duane A. Darkins, along with Mr. Joe Mistick, Mr. Carl Coleman, Mr. David Little, Dr. Frank Sessoms, Coach Bob Johnson, Attorney Bill Goodrich, Mr. Eugene Connelly, Mr. Mossie Murphy, Mr. Paul Coffey, Mrs. Artegious Moncrief, Mr. Connie Hawkins, Mr. Bob Colville, Judge Walter Little, Mr. Sonny Vaccaro and Ms. Alfreda Tyson; and

WHEREAS, during this event there will be a 2nd Annual Induction of the Connie Hawkins Basketball League Hall of Fame; and

WHEREAS, this year's keynote speaker will be Superbowl M.V.P. Champion Doug Williams; and

WHEREAS, the Annual Willie Stargell Pittsburgh M.V.P. Awards Banquet has established a legacy of excellence, leadership and accomplishments.

NOW, THEREFORE, BE IT
RESOLVED, that the Council of the City of

Pittsburgh hereby proclaims December 6th & 7th, 1991 as "Willie Stargell Pittsburgh M.V.P. Awards Banquet Days" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 3473 WHEREAS, the 16th Annual Bishop Duane A. Darkins Senior Citizens Thanksgiving Dinner will be held on Saturday, November 23, 1991; and

WHEREAS, this annual event will be held at The Southern Platter Restaurant located in the Homewood-Brushton section of Pittsburgh; and

WHEREAS, the Bishop Duane A. Darkins Senior Citizens Thanksgiving Dinner is held to recognize and salute the senior members of our community for their lifelong dedication to our City and our community; and

WHEREAS, this event will include the Truly Yours Models, local gospel singers, and a special Thanksgiving raffle; and

WHEREAS, the esteemed sponsors of the 16th Annual Bishop Duane A. Darkins Senior Citizens Thanksgiving Dinner are Cameron Coca Cola, The Southern Platter Restaurant, City Foods Supermarket and the Farmers Market of Homewood; and

WHEREAS, senior citizens are brilliant jewels in the crown of our community and are most worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of

Pittsburgh hereby recognizes the senior citizens for their invaluable service to our community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 3474 WHEREAS, Reverend Canon Junius F. Carter has served as Rector of Holy Cross Episcopal Church for 25 years; and

WHEREAS, Canon Junius F. Carter received the title of Canon while serving in the Diocese of New Jersey; and

WHEREAS, Reverend Canon Junius F. Carter has always believed in community involvement and the uplift of all peoples; and

WHEREAS, Reverend Canon Junius F. Carter will be retiring as of November from his many years of dedicated service; and

WHEREAS, Reverend Canon Junius F. Carter will be honored at a November 15, 1991 tribute to be held at the Pittsburgh Hyatt highlighting his service of compassion, dedication, vision and outreach; and

WHEREAS, Reverend Canon Junius F. Carter is a man most worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims November 15, 1991 as "Reverend Canon Junius F. Carter Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 3475 WHEREAS, Grand Worthy Matron Nellie M. Cathie is a woman of distinction and honor; and

WHEREAS, Grand Worthy Matron Nellie M. Cathie has served the Deborah Grand Chapter Order of the Eastern Star Prince Hall Affiliation with love and dedication; and

WHEREAS, Grand Worthy Matron Nellie M. Cathie is a lifelong resident of Pittsburgh, Pennsylvania who has excelled in the areas of administration, higher education, church and community service, politics and professional cosmetology; and

WHEREAS, Grand Worthy Matron Nellie M. Cathie is a woman of high moral character, integrity and, most of all, a woman of peace; and

WHEREAS, Grand Worthy Matron Nellie M. Cathie was installed in her current position on the event of Deborah Grand Chapter's 75th Diamond Anniversary; and

WHEREAS, Grand Worthy Matron Nellie M. Cathie is a woman most worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims November 23, 1991 as "Grand Worthy Matron Nellie M. Cathie Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones presents

No. 3476 WHEREAS, the National League of Cities (NLC) Roundtable Discussion will be held in Pittsburgh, PA on November 15-16, 1991 at the Hyatt, Chatham Center; and

WHEREAS, the National League of Cities was established in 1924, represents 49 state leagues and more than 1,300 cities, and reaches a national network of more than 17,000 municipalities; and

WHEREAS, the National League of Cities offers training, technical assistance and information to municipal officials, and helps them improve the quality of local government in our urban nation; and

WHEREAS, six city teams will be participating in this conference: Clairton, Lancaster and Pittsburgh, Pennsylvania; Newport News, Virginia; Shreveport, Louisiana; and Youngstown, Ohio; and

WHEREAS, the National League of Cities develops and pursues a national urban policy to meet the present and future needs of our nation's cities.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and supports the efforts of the National League of Cities in "Developing Community Partnerships in Support of Your City's Education Agenda"; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Friday, November 14, 1991 as "National League of Cities Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair presents

No. 3477 WHEREAS, on Saturday, November 23, 1991, Frank (Mike) Hepler will be inducted into the Hall of Valor at the Soldiers and Sailors Memorial Hall; and

WHEREAS, Mr. Hepler has received many military awards and citations for his service to his Country during the Vietnam War, which include the distinguished Silver Star, Bronze Star, Purple Heart, Vietnam Service Medal, Vietnamese Cross of Gallantry, Vietnam Campaign Medal, Combat Infantry Badge, National Defense Service Medal, Rifle and Pistol Sharpshooter and Expert Badge; and

WHEREAS, Mr. Hepler currently is President and Chief Executive Officer of the Boys and Girls Clubs of Western Pennsylvania where he has done an exceptional job for over twenty years; and

WHEREAS, Mr. Hepler was the recipient of the "Director's Community Leaders Award" in 1990 presented by the Federal Bureau of Investigation; and

WHEREAS, Mr. Hepler is married to Lovina Ann Hepler and they are the proud parents of three children: Jennifer, Jeremy and Michael.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Mr. Frank Hepler on his induction into the Hall of Valor at the Soldiers and Sailors Memorial Hall; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Saturday, November 23, 1991 as "Frank (Mike) Hepler Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Coyne presented

No. 3433 Resolution Repealing Res. No. 765, eff. August 8, 1991, entitled "Resolution amending Res. No. 706, approved July 18, 1991 entitled, A Resolution amending Res. No. 507 of 1991, entitled, Resolution providing for the filing of a Community Development statement by the City of Pgh. with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 CDBG Program, so as to increase the overall 1991 grant amount from \$15,699,992.00 to \$17,734,000.00, and reprogram these funds to the appropriate departments by reprogramming funds in the aggregate amount of \$11,111.00 under City Council and City Planning line items."
---(SPONSORED BY MR. COYNE)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Cohen presented

No. 3434 Resolution further amending Res. No. 665, eff. July 11, 1990, as amended by Res. No. 1391, eff. Dec. 27, 1990, entitled, "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, for preschematic and site planning architectural services in connection with the new Public Safety Building and the possible site; and providing for the payment thereof," by amending the title to

include Design of Phase I of the Public Safety Complex and Phase I of Construction Management and by increasing the total project allocation by \$1,435,000.00 from \$820,000.00 to \$2,255,000.00.

Also,

No. 3435 Resolution amending Res. No. 1379, eff. Dec. 27, 1990, entitled, "Providing for the transfer of \$350,000.00 to the Public Safety Complex Trust Fund, which represents the City's share of preschematic design services of Phase I of the Public Safety Complex, which includes the Public Safety Building, a courts' facility and the initial state of a Parking Authority garage," by amending the title of this Resolution to include Construction Management and by increasing the total amount transferred by \$755,000.00 from \$350,000.00 to \$1,105,000.00.

Also,

No. 3436 Resolution further amending Res. No. 1415, eff. Jan. 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program," by increasing EC 91-525 (Public Safety Complex) by \$6,800,000.00 from \$2,500,000.00 to \$9,300,000.00.

Also,

No. 3437 Resolution amending Res. No. 627, eff. July 3, 1991, entitled "Providing for a Cooperation Agreement or Agreements with the URA, for the City's share of site remediation costs at the Public Safety Complex; and providing for the payment of the cost thereof," by amending the title to include land acquisition costs, by providing for a Supplemental Agreement or Agreements, and by increasing the total allocation by \$6,045,000.00 from

\$2,500,000.00 to \$8,545,000.00, chargeable to and payable from Code Account EC 91-525.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 3438 An Ordinance amending Ordinance No. 37, approved December 20, 1990 entitled "An Ordinance amending Ordinance No. 17, approved August 17, 1990, entitled 'An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing, Article VII - Services Businesses, Chapter 765 - Commercial Refuse, to add provisions for the administration and regulations of the collection and recycling of recyclable materials and leaf waste, and imposing penalties for the violations thereof' to amend the types of materials to be collected by the Department of Environmental Services, the manner of collection of such materials and related licensing requirements, and to renumber the subsequent sections and references accordingly" to provide additional authority to the Director of the Dept. of Environmental Services to obtain information on collection practices and to establish certain fees.

Also,

No. 3439 An Ordinance amending the Pittsburgh City Code, Title Four - Public Places and Property, Article 1 - Streets and Sidewalks Chapter by increasing and establishing new fees.

Also,

No. 3440 Resolution amending Res. No. 833, eff. August 3, 1978, entitled, "Requiring deposits in connection with the loan of raccoon of cat cages by the City of Pittsburgh, Dept. of Environmental Services and providing for the

disposition of forfeited deposits," by increasing the deposit to Fifty (\$50.00) Dollars and authorizing a Fifteen (\$15.00) Dollar fee for the rental thereof, and the disposition of said fee.

Also,

No. 3441 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of containers for the office paper cycling program for the City of Pittsburgh at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1188, Recycling Services, Dept. of Environmental Services, Recycling Division.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 3442 Resolution authorizing a Cooperation Agreement with the URA of Pittsburgh providing for the transfer of the sum of \$75,000.00 to URA to be used as a grant to Lawrenceville Development Corporation for the Doughboy Square and Pennsylvania National Bank Buildings development, chargeable to and payable from the Lawrenceville/Doughboy Improvements.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 3443 An Ordinance amending the Pittsburgh Code, Title Nine "Zoning", Chapter 911 "Fee Schedule", Section 911.01 "Fees Established" by increasing the fees.

Also,

No. 3444 Resolution renewing Res. No. 1313 approved by City Council on December 11, 1990 authorizing Western Manor to Convert the existing four-story building located at 2851 Bedford Avenue into 31 dwelling units for the elderly with a Resident Manager Unit, 5th Ward.

Which were read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 3445 Resolution Repealing Bill No. 3270, Resolution No. _____ passed in Council on November 12, 1991, entitled, "A Resolution authorizing an Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection or delinquent water charges, fines, penalties and interest due the City of Pittsburgh, as agency for the PITTSBURGH WATER & SEWER AUTHORITY, at a cost not to exceed \$300,000.00, chargeable to and payable from Code Account 1922, (192203), Miscellaneous Services, Department of Water."

—(SPONSORED BY MICHELLE MADOFF)

Also,

No. 3446 Resolution authorizing an Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection of delinquent water charges, fines, penalties and interest due the City of Pittsburgh, as agency for the PITTSBURGH WATER & SEWER

AUTHORITY, at a cost not to exceed \$300,000.00, chargeable to and payable from Code Account 1922, (192203), Miscellaneous Services, Department of Water.

---(SPONSORED BY MICHELLE MADOFF)

Which were read and referred to the Committee on Water.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 3447 Resolution amending Res. No. 934, approved October 8, 1991, eff. October 18, 1991, entitled "Providing for the issuance of a warrant in favor of U.S. Nuclear Regulatory Commission, License Fee & Debt Collection Branch, P.O. Box 954514, St. Louis, MO 63195-4514 in the amount of \$1,500.00 in payment for license fees furnished for the benefit of the City in connection with radio active material used in the gas chromatograph and providing for the payment thereof," by correcting the code account from 1973 (197301) Supplies to 1972 (197202) Miscellaneous Services.

Also,

No. 3448 Resolution providing for the transfer of funds totalling \$12,800.00 from Code Account 1922, Misc. Services, Dept. of Water, to Office Code Account 1043, Misc. Services, City Information Systems. This transfer will cover various hardware, software, servicing and administrative costs incurred by City Information

Systems for Department of Water computer equipment during 1991.

Also,

No. 3449 Resolution providing for the transfer of funds totalling \$363,842.00 from Code Account 1922, Misc. Services, Dept. of Water to Code Account 1154-1, Rental of Motorized Equipment, Dept. of General Services. This transfer will cover the 1991 lease payment for Water Department vehicles.

Which were severally read and referred to the Committee on Finance.

Mr. Milliones presented

No. 3450 Resolution providing for the issuance of a warrant in the amount of \$80,500.00 to Geraldine L. Engram, Administratrix of the Estate of Alex Engram, deceased and Geraldine L. Engram, in her own right, c/o Raymond J. Seals, Esquire, 432 Blvd. of the Allies, Pgh., PA 15219 in full settlement of a lawsuit in the Court of Common Pleas of Allegheny County, Civil Division, arising from a wrongful death action that occurred as a result of injuries suffered on June 8, 1984 on Dodge Way in the East Liberty section of Pittsburgh, payable from Code Account No. 46, Judgments.

Also,

No. 3451 Resolution providing for the issuance of a \$1,950.00 warrant in favor of Herman D. & Grace N. Milby in settlement of claim for property damage incurred as a result of water and debris running over the Shadeland Avenue Bridge on Lecky Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 3452 Resolution authorizing the

issuance of a warrant in favor of Howard Hanna Real Estate, Appraisal Division in the amount of \$1,000.00 in payment of an appraisal of property in the 8th Ward, in connection with the vacation of Mend Way, payable from Code Account 1063, Misc. Services, Dept. of Finance.

Also,

No. 3453 Resolution further amending Res. No. 319, eff. April 13, 1989, as amended by Res. No. 1072 eff. October 25, 1990, and further amended by Res. No. 1339 eff. Dec. 31, 1990, entitled "Resolution providing for an Agreement or Agreements with a qualified Management Consulting Firm for professional services in the development of an indirect cost allocation plan for the City of Pgh. and providing for the payment of the cost not to exceed \$36,633.34, chargeable to and payable from Code Account 1017, Misc. Services, Mayor's Office," by increasing the authorized amount from \$36,633.34 to \$53,266.67, chargeable to and payable from Code Account 1017, Misc. Services, Mayor's Office.

Also,

No. 3454 Resolution authorizing the close-out of the Controller's Financial Management Information System Trust Fund and transferring the unencumbered balance of \$202,687.34 to the Sinking Fund of the City of Pittsburgh.

Also,

No. 3455 Resolution Repealing Resolutions approved in various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 3456 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 3457 Resolution authorizing the transfer of \$5,000.00 from Code Account 1421, Misc. Services, and \$24,400.00 from Code Account 1423, Equipment, to Code Account 1422, Supplies and Materials, Bureau of Emergency Medical Services, Department of Public Safety. This transfer is necessary to pay for ballistic vests that were purchased off the current uniform contract. This Resolution will be effective upon the signature of the Mayor.

Which was read and referred to the Committee on Finance.

Also,

No. 3458 An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter 611, Alarm, Section 611.01 Definitions, by adding a new (b) Operative Alarm System and changing the present (b) to 611.01(d) and adding Section 611.01(e) Multipurpose Alarm; and Section 611.03(a), to reflect the Operative Alarm System language and (c) to require the posting of a permit or permit number; and 611.06(a) permit, by changing the alarm system permit fee; and Section 611.07(a), False Alarm Penalty, by changing the false alarm penalty fee, and by adding Section 611.07(c), a 90 day grace period for false alarms and by adding Section 611.08, Penalty for Failure to Post or Obtain Permit.

Which was read and referred to the Committee on

Public Safety.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 3459 An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I, Chapter 601 Public Order and Chapter 603 Parades and Crowds, by increasing certain fees.

Also,

No. 3460 An Ordinance amending the Pittsburgh Code, Title Five, Chapter 525 by setting fees for release of immobilized vehicles.

Also,

No. 3461 An Ordinance amending the Pittsburgh Code, Title Seven - Business Licensing - Articles III, V, and IX, Chapter 719 Vendors and Peddlers, Chapter 741 Warm Air Heating Contractors, Chapter 743 Welders, Chapter 745 Stationary Engineers, Chapter 747 Electrical Contractors, Chapter 749 Sign Contractors and 777 Mechanical Amusement Devices by increasing certain fees.

Also,

No. 3462 An Ordinance amending the Pittsburgh Code, Title Ten - Building, Chapter 1007 - BOCA National Building Code Adoption, Article I - Administration and Enforcement, Section 114.0 Fees, Subsection 114.3 New Construction and alterations, No. 6 and No. 8, by

increasing certain fees.

Also,

No. 3463 An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - General Parking Regulations, Chapter 543 - Parking Meters and Chapter 545 - Off-Street Parking by eliminating discount periods.

Which were severally read and referred to the Committee on Public Safety.

Also,

No. 3464 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase additional Saber Radios for use in the office of (ONI), Organized Crime, Narcotics and Intelligence, Bureau of Police at a cost not to exceed \$55,000.00, chargeable to and payable from Code Account (PSPI), Public Safety Pennfree Initiatives, Bureau of Police, Department of Public Safety.

Also,

No. 3465 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Computer Equipment and Software for use in the office of (ONI), Organized Crime, Narcotics and Intelligence, Bureau of Police at a cost not to exceed \$37,500.00, chargeable to and payable from Code Account (PSPI), Public Safety Pennfree Initiative, Bureau of Police, Department of Public Safety.

Also,

No. 3466 Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase a 15 Passenger Van to be used by the DARE/KID WATCH PROGRAM

for Bureau of Police, Dept. of Public Safety at a cost not to exceed \$25,000.00, chargeable to and payable from (PSPF), Public Safety Pennfree Initiative, Bureau of Police, Department of Public Safety.

Which were severally read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 3467 Resolution authorizing the issuance of a warrant in favor of Phipps Friends in the amount of 46,712.20 in payment for the purchase of plants for Phipps Conservatory Plant Sale, chargeable to and payable from Code Account PCTF 253153, Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 3468 Resolution amending Res. No. 86, appr. Feb. 12, 1991, eff. Feb. 25, 1991, entitled "Providing for a Lease or Leases and/or License Agreement for the use of certain property for Senior Citizen Center facilities," by increasing the maximum authorized amount from \$225,414.00 to \$253,572.00, chargeable to and payable from (SCPTF), (254250), Senior Citizen Program Trust Fund and including Management Agreements.

Which was read and referred to the Committee on Parks and Recreation.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3469

Report of the Committee on Finance for November 13, 1991 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3280

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, 'Fiscal', Article IX, 'Property Taxes', Chapter 263, 'Real Property Tax', Section 263.02, 'Payment Options; Discount and Delinquency Penalty', by amending the payment dates for the Real Property Tax." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

Mr. President and Members of Council, on Bill 3280, the initial bill on the agenda, this is on the proposal for the Administration to change the manner in which we collect the real estate taxes.

As we know, we have discussed this for the last couple of weeks, the current procedure calls for the quarterly payment, if those individuals choose to do that. I think there's agreement on Council that changing from quarterly to tri-annually or anything less is an adverse impact and a hardship on some elderly property owners.

I'm going to vote in opposition of this bill today not because I disagree with the Administration that it would be nicer to collect more money up front in the fiscal year, I think we should do that. But I think we can have our cake and eat it too. I think it was clear from the discussion, and I don't believe we ever received a

clarifying ruling from the Solicitor on this issue of the State's Uniformity Clause, but I think we can have our cake and eat it too. I don't see why, based on the State's Constitution and looking at the Uniformity Clause which was discussed a little bit, I think that clause is explicit in terms of the issue of the tax rate being uniform to whatever specific class of tax is involved. But the clause is ambiguous on the issue of the method of collecting that tax.

I think there's room for discretion there and I believe strongly that there is no case law or clear indication from the Court on this issue and I do think we have the prerogative as a local municipality, given our broad police powers, to collect the tax, obviously uniformly as far as the rate, but I think the manner of collection can be different. I think we should separate out residential versus commercial payers and possibly even those who are having their mortgages paid by mortgage lending companies versus individual elderly folks who choose to continue on a quarterly basis.

So, on that basis, I think we should defeat Bill 3280 and there's no reason why we can't keep the status quo. And, if need be in the coming year, to try to resolve this, seek a declaratory judgment from the Court regarding this issue and have it rest.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Millions

Mr. Coyne

Mr. Darkins

Michelle Madoff

Mr. Regan

Mr. Wagner

(Pres't)

AYES 7

NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative the bill passed finally.

Also,

Bill No. 3350

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and Urban Development, for a grant or grants in connection with Referral of Housing Discrimination Charges (and related activities), HUD/FHP Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the HUD/FHP Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; maintaining a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account."

Which was read.

Also,

Bill No. 3351

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission, for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-

706 Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the EEOC-706 Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; maintaining a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account."

Which was read.

Also,

Bill No. 3352

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 3353

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 3370

A Resolution entitled, "Resolution transferring the amount of One Hundred Fifty Thousand (\$150,000.00) Dollars from Code Account 1927-9, Worker's Compensation, Index Code 192799,

Department of Water, to Code Account 1644-1, Utilities, Index Code 164418, Department of Public Works."

Which was read.

Also,

Bill No. 3371

A Resolution entitled, "Resolution transferring the amount of One Hundred Fifty Thousand (\$150,000.00) Dollars from various Code Accounts to Code Account 1545, Street Lighting, Index Code 154500, all within the Department of Public Works."

Which was read.

Also,

Bill No. 3424

A Resolution entitled, "Resolution transferring the amount of \$200,000.00 to Code Account 1818, Index Code (181800), Wages, Regular and Temp. Employees from Code Account SSFSP (270256), Special Summer Food Service Program in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 3470

Report of the Committee on Public Works for November 13, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3372

A Resolution entitled, "Resolution amending Resolution No. 290, effective April 18, 1983, entitled 'Providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocation certain electrical equipment necessary for street lighting in the City of Pittsburgh; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$1,638.23 from \$450,000.00 to \$448,361.77."

Which was read.

Also,

Bill No. 3373

A Resolution entitled, "Resolution amending Resolution No. 315, effective April 25, 1980, entitled 'Providing for a Contract or Contracts for the installation and removal of Flashing School Signs (PW 79-24); and providing for the payment of the costs thereof," by decreasing the total project allocation by \$2.10 from \$60,000.00 to \$59,997.90."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 3471

Report of the Committee on Planning, Housing and Development for November 13, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3334

A Resolution entitled, "Resolution amending Resolution No. 153, effective March 8, 1991 entitled 'Resolution providing for an Agreement or Agreements with Larimer-Lincoln Revitalization Corporation for operating and/or administrative assistance in carrying out various community economic, or social activities, at a cost not to exceed \$2,000.00,' so as to correctly identify the organization's title."

Which was read.

Also,

Bill No. 3335

A Resolution entitled, "Resolution amending Resolution No. 500, effective May 30, 1991, entitled 'Resolution providing for an Agreement or Agreements with Women's Center and Shelter, an organization that provides counseling and information for the low-income women experiencing domestic violence problems, in an amount not to exceed \$12,000.00,' so as to increase the amount appropriated from \$12,000.00 to \$14,111.00."

Which was read.

Also,

Bill No. 3336

A Resolution entitled, "Resolution amending Resolution No. 498, effective May 30, 1991, entitled 'Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for assistance in carrying out their 'adopt a lot' program in an

amount not to exceed \$22,888.00', so as to increase the amount appropriated from \$22,888.00 to \$29,499.00 and expand their scope of activities to include administrative assistance for Neighborhood Revitalization."

Which was read.

Also,

Bill No. 3337

A Resolution entitled, "Resolution amending Resolution No. 546, effective June 5, 1991, entitled 'Resolution providing for an Agreement or Agreements with the Vietnam Veterans' Leadership Program for support of their counseling services to homeless veterans at a cost not to exceed \$17,000.00,' so as to increase the amount appropriated from \$17,000.00 to \$22,111.00."

Which was read.

Also,

Bill No. 3338

A Resolution entitled, "Resolution amending Resolution No. 545, effective June 5, 1991, entitled 'Resolution providing for an Agreement or Agreements with the St. Clair Athletic Association for rehabilitation of their Senior Center in an amount not to exceed \$9,478.00,' so as to increase the amount appropriated from \$9,478.00 to \$10,478.00."

Which was read.

Also,

Bill No. 3339

A Resolution entitled, "Resolution amending Resolution No. 495, effective May 30, 1991,

entitled 'Resolution providing for an Agreement or Agreements with Mom's House to purchase a building and provide administrative assistance with their services for Unwed Mother's Program in the amount not to exceed \$6,388,' so as to increase the amount appropriated from \$6,388.00 to \$11,388.00."

Which was read.

Also,

Bill No. 3340

A Resolution entitled, "Resolution amending Resolution No. 489, effective May 30, 1991, entitled 'Resolution providing for an Agreement or Agreements with the Hazelwood-Glen-Hazel-Glenwood Citizens Council for administrative assistance at a cost not to exceed \$5,000.00,' so as to increase the amount appropriated from \$5,000.00 to \$8,000.00."

Which was read.

Also,

Bill No. 3341

A Resolution entitled, "Resolution amending Resolution No. 529, effective June 5, 1991, entitled 'Resolution providing for an Agreement or Agreements with the Greenfield Organization for administrative support in operating programs serving elderly and low income residents in an amount not to exceed \$9,000.00,' so as to increase the amount appropriated from \$9,000.00 to \$12,000.00."

Which was read.

Also,

Bill No. 3342

A Resolution entitled, "Resolution amending Resolution No. 487, effective May 30, 1991, entitled 'Resolution providing for an Agreement or Agreements with Garfield Jubilee Association for administrative/operating support for their Community Maintenance Program in an amount not to exceed \$5,000.00,' so as to increase the amount appropriated from \$5,000.00 to \$9,111.00."

Which was read.

Also,

Bill No. 3343

A Resolution entitled, "Resolution amending Resolution No. 484, effective May 30, 1991, entitled 'Resolution providing for an Agreement or Agreements with Elder-Ado, Inc., for administrative-operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$15,000.00,' so as to increase the amount appropriated from \$15,000.00 to \$17,000.00."

Which was read.

Also,

Bill No. 3344

A Resolution entitled, "Resolution amending Resolution No. 527, effective June 5, 1991, entitled 'Resolution providing for an Agreement or Agreements with Friendship Development Associates, Inc., for administrative/operating support of their 'Housing Information Program' in an amount not to exceed \$5,888.00,' so as to increase the amount appropriated from \$5,888.00 to \$8,888.00."

Which was read.

Also,

Bill No. 3345

A Resolution entitled, "Resolution amending Resolution No. 519, effective June 5, 1991, entitled 'Resolution providing for an Agreement or Agreements with Arlington Heights Residents Council for administrative/operating support, in an amount not to exceed \$5,000.00,' so as to increase the amount appropriated from \$5,000.00 to \$6,111.00."

Which was read.

Also,

Bill No. 3346

A Resolution entitled, "Resolution amending Resolution No. 520, effective June 5, 1991, entitled "Resolution providing for an Agreement or Agreements with the Beltzhoover Neighborhood Council for administrative assistance in operating its services in an amount not to exceed \$8,422.00,' so as to increase the amount appropriated from \$8,422.00 to \$9,422.00."

Which was read.

Also,

Bill No. 3347

A Resolution entitled, "Resolution amending Resolution No. 522, effective June 5, 1991, entitled 'Resolution providing for an Agreement or Agreements with the Bidwell Education, Music and Recreation Center for the rehabilitation of their facility for use as a multi-purpose Center, at a cost not to exceed \$18,888.00,' so as to increase the amount appropriated from \$18,888.00 to \$23,699.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council, I'd like to share something with you. There's a book that is put out that has quotes for writers and speech writers and so on, and I'd like to read you a quote from 1971 made by Pete Flaherty, the Mayor of Pittsburgh at the time.

He says: "You can't understand how lonely a Mayor feels with his problems. The people in the suburbs use our facilities but won't help pay for them. The Pittsburgh Zoo costs us \$1 million a year. Three out of four people who go there come from outside the City. But when I ask the County Commissioners for help, they look

out the window."

Could I respectfully request the City Clerk write a letter to Mr. Flaherty and ask about this quote in the book and ask if he's looking out the window, since we are in budget hearings. And I would very much like him to come over here and tell us how he would like to correct the same problem. Our lonely Mayor and Members of Council are a little disturbed and it has gone from more than \$1 million a year at this point.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Mr. Cohen:

I'd like to see a draft of the letter first.

Michelle Madoff:

I think we should all sign it personally, too.

On another matter. I want to suggest something that's not going to be terribly popular with my colleagues but I'd like you to very seriously consider it before we get to budget.

You don't have to be a genius, if you're reading the local papers, the national papers, national magazines, to know that this city, like all cities, is in really serious straights financially. The unemployment and the underemployment in this region, and particularly in the City of Pittsburgh, is horrendous. We are in a recession, for those of us who have a job. And if you're not working, it's a depression.

I would like to strongly urge this Council to take the leadership role in freezing salaries, our salaries, not accepting a raise, cost of living raise at 2.5 percent. I have already asked the Water Department to please freeze their cost of living. I

don't think they're going to do it but I'm asking.

I wish the Mayor would issue an Executive Order and freeze all salaries under her jurisdiction, her employees. I believe there's a substantial increase on the Mayor's side of the hall for raises. I think they exceed 2.5 percent in some cases, but I'm not sure. But I would like to see no increase.

And I would urge the Firefighters and the Police Officers in their negotiations to reject, at this point in time in history, any raise increase. I realize that we can't mandate it. We can only ask that when they go into negotiations that they very seriously give consideration to not increasing and to be happy to have a job.

I would like to express an opinion. I don't know that I would get a second for sending a letter to the Mayor but I'll try. I would like to make that in the form of a motion and see who would support it. Would you like to consider it a week before we do it?

The Chair:

Would you please restate your motion?

Michelle Madoff:

I would like a letter to go to the Mayor of the City of Pittsburgh to the Police union leadership and the Firefighters leadership and the union that represents City workers, asking respectfully that in this time of vast recession, deep recession, that we consider freezing all salaries and not taking a raise for this coming year, 1992. That's my request.

The Chair:

I'll second the motion but I'd like you to delete something from it. The non-union personnel is really not a decision of the Mayor's

Office. It is really ultimately a decision of this Council.

Michelle Madoff:

Write us the same letter and we can consider it too.

The Chair:

Whether or not the 2-1/2 raise as proposed, or 3 percent raise as proposed, is implemented is determined by this body.

Michelle Madoff:

You're absolutely right, Mr. President, but I'm suggesting all bodies involved. I was trying to name as many as I could think of. But basically what I'm saying is, let's not take a raise this year. Let's set by example --

The Chair:

That motion could be put in effect by yourself at the appropriate time in the budgetary process.

Michelle Madoff:

What I was trying to do today is just raise it for consciousness-raising for us to think about it. I realize that nobody wants to hurt anybody else and I realize that everybody has bills to pay and families, but I just think that there's so many people that would just be happy -- Do you remember the gentleman that came to testify?

The Chair:

Are you withdrawing your motion and simply putting it out as an issue for thought at this time?

Michelle Madoff:

I just thought it should go out as an issue for thought and we ought to come back perhaps next week when we've had some time -- I sort of sprung it on everybody which was not my intention, and let's come back next week and see after everybody has thought about it and whether they would consider supporting that kind of action.

The Chair:

So your motion is withdrawn?

Michelle Madoff:

Yes.

Mr. Cohen:

Same issue. I just think that we should not be asking anybody else to freeze their salaries until we have decided concretely to freeze our own. We should not be asking somebody else to do something that we can't do ourselves. If we're going to do that ourselves, then I think we are in a position to ask somebody else. But until Council decides that it wants to take that action, then we shouldn't be asking anybody else to.

Michelle Madoff:

I think it might be too late by the time we get to budget hearings, Mr. President. I think we have to make a commitment to do that within a week.

The Chair:

Again, let me state that all that can be dealt with together and is dealt with together and, as a matter of fact, is the mandate of the Charter that it's dealt with together. So, we will be talking about that issue, I hope, extensively at the

appropriate time during the budget.

Michelle Madoff:

And that leads me to my next subject. I have a press release I'd like to share with you. I have sent copies to Chief Dickinson and Glenn Cannon and I just gave copies to everybody. The media just got it this morning and all parties concerned.

(MICHELLE MADOFF'S PRESS RELEASE)

FOR IMMEDIATE RELEASE
November 18, 1991

Councilwoman Michelle Madoff has requested of Fire Chief Charles Dickinson that we not "compound a felony" and has today asked that only one quint be field tested to prove its effectiveness, viability and desirability before making a change from tillers to quints at three City fire stations.

Michelle believes this is a responsible way to proceed in light of fear, perceptions, misinformation and quandries by public officials and the public as to what is the best piece of equipment. She believes that to do anything else would be irresponsible.

"I don't believe the Administration would deliberately endanger both their credibility and their financial well-being by switching equipment and closing stations if they believed it could result in increases in Workers' Comp injury claims by firefighters or liability claims from the public" Madoff stated.

Councilwoman Madoff said she "feels somewhat responsible for the equipment, specifically the tillers, purchased for the Fire Department". During the 2 short months Councilwoman Madoff was head of the General

Services Committee, she insisted that those who use the equipment be part of the selection committee. City Councilmembers at that time were bombarded with information from the firefighters claiming the quints were inefficient and undesirable for various reasons such as traversing narrow streets and lack of capability. Subsequently, the tillers were purchased, at approximately \$350,000 each. These trucks not only required a major outlay of tax dollars in remodeling fire stations to accommodate them, but were a factor in the death of one firefighter, resulting in a large financial liability paid for by taxpayers, since the City is self-insured.

In light of the two serious fires over the weekend, (one on Grandview Avenue in Mount Washington Saturday morning, the other on Augusta Street, Duquesne Heights, left 1 dead, 12 homeless) the public needs to be reassured that IF quints are purchased they have the dual capabilities of both tiller and pump, as claimed by Chief Dickinson.

Madoff is also concerned that if there is more than one fire or a major fire that requires back-up equipment, a community would be left without sufficient numbers of vehicles. Her office has been deluged with calls from residents concerned that if firefighters at their station are answering a call in another district, would other fire stations be able to respond in a timely fashion. In light of the two fires this weekend, their fears are easy to understand.

(END OF PRESS RELEASE)

Michelle Madoff:

I have asked Fire Chief Dickinson, I'm paraphrasing, not to compound a felony. I was here when we purchased the tillers and I was the person that said we will not buy anything because for two months I was head of General Services, the only two months that I was not head of Water.

And I thought that we should not be going out and buying equipment without talking to the people who used the equipment to see if the equipment is satisfactory.

My strong feelings came from the fact that at that time the Water Department was using a van and it was inappropriate to deal with the equipment. The pumper or whatever they had on the truck didn't fit, etc. And I said, "How about letting those who use it, or their representatives, sit in on a meeting to choose it." And so the tillers were purchased and we all know what happened with the tillers. We had some really serious problems in retrofitting them. We had to put in stronger floors at the fire stations. We have had a death where somebody was killed with the back of it. I don't have to repeat the things that most of us are quite aware of.

On the other hand, I understand that the quint is a piece of equipment that replaces two pieces of equipment. It has a ladder and a pumper. And, as you know, my district was hit with two very serious fires in the last week, one death.

People there are very concerned about two things. They're so concerned about the equipment, if it will work. What they're concerned about is that if the equipment, the one piece of equipment, if it is in use at another fire or by another fire station because of a three alarmer, and we have to get a piece of equipment or support coming from Beechview, the time lag may be very serious. And those from Beechview might be using their own equipment for another fire.

My staff has started calling other cities and some of the things we found might be very interesting. St. Louis loves the quint. Adores it. But I understand from my colleague, Jake Milliones, that St. Louis is level. Cincinnati hates them. They're hilly with narrow streets.

So, I have suggested to Chief Dickinson that we bring in a quint. If we have to buy one, so be it, but we found out yesterday, and I haven't had a chance to talk to Bill Urbanic who is doing the additional research, there is a company that will bring us a quint and has done that in other cities and will let us try it.

We have some really serious issues before us and the one thing that we shouldn't forget is that while the quints are being considered, I really believe that the Administration isn't going to put a piece of equipment into effect just to save money because they have to understand and realize the same that we do that the liability if somebody is hurt unnecessarily, the liability that we would face from claims, workers' comp, might far exceed the savings. And they know that the same as we do, so I don't think they're going to put a dangerous piece of equipment out.

But we also shouldn't forget something that maybe they have forgotten -- And maybe the media is listening too, the printed media in particular -- that while the City population has shrunk, and that is a fact we are all aware of, the housing stock hasn't shrunk. The time to get to it on the roads hasn't changed. And an abandoned house is more threatened by fire than an occupied entity. And I'm just wondering, if you took the claims from the fires set in abandoned properties and factored that into the equation whether we're moving in the right direction. And I am the first to say that I don't know. But I am the first to say that we better find out and not make the same mistake for which I feel somewhat responsible that happened a number of years ago. I don't want to make the same mistake again.

Mr. Ricciardi:

Mr. President, along with my colleagues and the public, I have taken the subject very

seriously of fire protection. I have carefully reviewed the Fire Study from Ernst and Young, the Administration's plan, I have tried to talk to as many people as possible.

On the subject of the quints, it's not that I either support or oppose the quints. However, after careful consideration, I oppose the quints if they're going to replace the five squad cars. And that's really the subject at hand. We have five squad cars, Mr. President, one in the South Side, Bloomfield, Beechview, I believe the Central North Side and the East End. And let's look at those squad cars, why they're in use. And even the Fire Study from Ernst and Young says how effective they are because they can get there fast. Search and rescue.

If we replace those squad cars by quints, in effect what we're telling the City of Pittsburgh is that we're going to just fight the fire itself to put out the flames. We're doing away with the search and rescue. And after meeting with the Administration, including the Chief, the one reason we're doing away with the squad cars is because we want deployment on the other apparatuses to go from three to four on our engines.

In effect, and I'm beginning to see what some of my colleagues were saying concerning are we just trying to save money at the expense of fire protection and protection of the residents of the City of Pittsburgh.

So, yes, I'm willing to look at quints but never will I support in this City Council purchasing quints to replace the squad cars because search and rescue must come first before the flames are put out. Thank you.

Mr. Ferlo:

Just as a follow up, I have no problem discussing the issue of the quints right now but I

think it's somewhat diversionary. We have a fundamental reorganization that has been proposed by Mr. Turner and the Mayor; I guess she signed off on it. I also guess that based on some politics and some protests, she has now decided that it would be better to leave some of the stations open except for the Downtown fire station. I could best characterize that as not only the Emperor With No Clothes but, better yet, the Fire Department With No Clothes. We're going to have fire stations but, in effect, as Mr. Ricciardi has talked about, we're not going to have the firefighting capability and equipment in those stations. So what the hell good are those stations?

The elimination of the squad cars for this half-baked notion of these quints, we're going to be back where we started with the same tiller truck fiasco. George Jacoby sat before this City Council and told a bold-faced lie to this Council. He said that the equipment would be here, that he would actually ride the equipment. He said that they would not purchase tiller trucks from any company that didn't have the truck. Pierce never even made one of these tiller trucks before it was a demonstration guinea pig half-baked proposal by Chief Leahy. And we're going to have the same situation with this half-baked notion of buying these quints.

The fundamental issue right now is for City Council to protest this fundamental reorganization of the Fire Bureau. Citizens protested and the Mayor backed down because of her re-election bid and wants to keep some stations open. But what good is it to have stations if you're going to eliminate the squad cars and reduce the aerial trucks from many of the other remaining stations. I think we should continue to protest and put pressure on the Administration in opposition to this half-baked reorganization plan.

All this reorganization plan is about is the bottom line: how to achieve a cost savings of \$3.5 million and how to reduce the number of

firefighters. And the impact is that there will be more fire deaths in the future. The impact will be that there will be more fires that will burn without proper response time. The remaining pumper trucks in the engine houses are going to be out on first responder, they're going to be even less available in the future to respond to first and second calls.

It's a bad proposal. There are other cost savers we can achieve like getting rid of the Public Safety bureaucracy.

And George Jacoby doesn't even live in the City anymore, Mr. President. And for those people who are on the Pension Board, they should get him off the job.

The Chair:

You're out of order, Mr. Ferlo.

Michelle Madoff:

We're all very heated up about this subject. That's a Freudian slip.

Mr. Ferlo:

I'm burning, Michelle.

Michelle Madoff:

I want to share something with my colleagues. If you were here like Jack and I were when a lot of this took place, particularly not closing Mount Oliver, you knew when you looked at the plan, Jack, am I right, that there was no way they were going to shut Mount Oliver.

Mr. Ferlo:

Troy Hill.

Michelle Madoff:

Excuse me. I get them mixed up. I meant Troy Hill. There was no way that Troy Hill was going to be shut because of the furor that was raised at that point and because this Council wouldn't pass the budget with it at that point. There was no way. And when you put it in that "you're going to close it, it was put in so you could say, "Well, we listened to the people. We listened to the people." That was a bargaining chip that was put up in the beginning and don't anybody be fooled. That is a fact. You don't have to be a genius. If there's any questions, go back and look at the transcript.

Mr. Regan:

Mr. President, I just would like to say a few things. I issued a press release last week and I would like to speak on behalf of what I'm calling the disenfranchised building owners and the people that work in Downtown Pittsburgh.

We were voted the Most Livable City in the United States, but yet they say we're going to close our fire hall in Downtown Pittsburgh.

I think it's a sad situation. I don't know of any major city in the United States that doesn't have a fire hall right in their downtown area. I'm saying, at 5:00 at night on a Friday and it's pouring down rain, you tell me how that equipment is going to get to Downtown Pittsburgh.

In Philadelphia, for example, the fire house was seven blocks away when that building started burning. Three firemen were killed and 100 firemen were injured. I'm saying that we're not a major city, we're not a first-class city, we're not the No. 1 City of any sort if we don't have a fire hall in Downtown Pittsburgh.

And I'm saying that the suburbanites and

the building owners who pay plenty of taxes in Downtown Pittsburgh are the disenfranchised people in this City because they don't vote in the City, they can't organize groups, they don't picket. So, they just have to take what comes.

I would like to challenge the Golden Triangle Association to work with myself and Councilman Ferlo and the rest of Council to keep that Downtown fire hall open.

Thank you very much.

The Chair:

I would like to add a comment, if I may. First off, I compliment Councilwoman Madoff for bringing it up and it's timely because it's after the recent public hearing on the issue, particularly the item relating to quints because that has become the focal point of the Administration's reorganization proposal. Even though the Administration has jurisdiction in terms of what and how the Fire Bureau operates in terms of stations and vehicles in it, this Council still has a responsibility to provide a good solid public opinion on the issue.

The quint is an unknown item to me and I would like Mr. Perry, in cooperation with Councilwoman Madoff's office, to determine where locally quints are in operation.

Michelle Madoff:

We're working on that research now.

The Chair:

And for this Council to set up a tour to go look at some quints and to do it as soon as possible. If we have to go to Cincinnati, if that's the closest location, we'll all jump in the car and we'll drive to Cincinnati some day if Council wants to do that. I certainly want to do it because

the whole quint issue, I think, is critical, as Councilman Ricciardi eloquently stated, that quints are replacing squads. And I'm not sure that quints have the same capability as squads.

I'd like to ask for a piece of information here that I think is very important. Mr. Perry, in a written form, I'd like to know from the Fire Bureau, with all fires, and I'm not talking about First Responders, I'm talking purely about fires and calls into the City for responses to fires, what percent of time do squads show up at the fire first, throughout the City. And certainly that data should be made available.

Squads, I understand, quite frequently to a fire because they are obviously quicker vehicles. They're more capable of maneuvering on our City streets, and they are a unit that, quite frankly, I believe hits the fire scene as the first group and their purpose is more to rescue at a fire immediately. And then when the equipment arrives, to act in conjunction with the equipment and the people on those pieces of equipment to fight the fire.

So, I'd like to know more about the quints. I'd like to see a quint. And I'd like to know whether or not these quints are the right kinds of vehicles for City of Pittsburgh streets.

One final note, and this may be another editorial statement and if so, so be it.

I am very disappointed in this entire reorganization that the issue of fire prevention is not in the focal point of the discussion. I heard no one say in this reorganization that additional emphasis would be given to fire prevention within the Fire Bureau. And I can say without a doubt, across the board, that that is what saves lives in this City.

If we were to go out and install smoke detectors in every home in this City, that could be

the best thing we could do. And to have firefighters out there in their own respective districts going around and inspecting homes and buildings to make sure that smoke detectors are in place according to law, and that they are functioning.

That issue has been missed in both reorganization proposals and I think this Council can provide a leadership position by saying that it should not be missed and it should be front and center in the discussion of the whole fire reorganization issue.

That's my comment on the reorganizational proposal but certainly I think that we need to find more out about this new piece of equipment before we buy into that being the right thing for the City of Pittsburgh. I'm very disappointed that taxpayer dollars have been expended in the past on equipment that will no longer be used under the proposed reorganization. And I for one was talked into voting for that equipment as being the right thing for the City of Pittsburgh simply within the last two, three, four years. I don't know how we could change dramatically in what our needs are so quickly.

So, I think this Council needs to provide a leadership position here to determine if the reorganization second proposal is the appropriate proposal for the City of Pittsburgh.

Michelle Madoff:

The reason I brought it up at this point, and I'm glad that my colleagues didn't say, "This is not the appropriate time, let's talk at budget" which is sometimes the way I get squelched, is the fact that I think this is a fait accompli. I think the Administration has already set its mind and January of next year they're going to try to put this whole proposal into place.

I think we're going to have to move, as you said, Mr. President, expeditiously to both look at the equipment in Cincinnati which is hilly and similar to our topography. I'm going to try to find other places other than St. Louis which I understand is not quite the same topography, find a place that maybe they like them. And maybe we need to divide up in a group and one go to one city and one to another.

But also I'm of the understanding as of late yesterday evening that we can have a company bring one into this City and we could see how it operates here. I will work with your office, my staff will work with your staff and with any other Member of Council. If we can divide the list up of cities, we could all help out so it won't be the burden on just my office because I've got some other pressing problems going on.

Mr. Ferlo:

First of all, I share many of your concerns, Mr. President. And again, back on this quint, I have no problem obviously looking at the quint and doing a lot of research and developing a public policy and formulating an opinion on it. But I still think this is somewhat diversionary. I still believe Council should continue to protest, and whatever resources we have politically and legislatively, to block this reorganization. Unless Council is convinced that this reorganization plan is a good idea, and I think there's division in the house on that, I think we should use whatever powers we have at the end of the year with the budget-making capabilities that we have to barter with the Administration.

I'm still not one to the notion of the quints. I'm still not one to the notion of -- It's not a question of still not one, I'm obviously opposed to keeping stations open and removing aerial trucks and the squad arrangement. I think it's a bad proposal and I think we need to hammer that out. That's a more important issue than arguing about

the quints. That's part of it, but the broader issue, really, is whether or not we're going to sit back idly and agree to this reorganization, and I think that's a bad idea.

Mr. Ricciardi:

Mr. President, I also am willing to look at the quints and I thank you for bringing up the question of fire prevention. It's something I should take a better look at myself.

Getting back to the real issue at hand, what Mr. Ferlo I believe is alluding to is what our feeling is on deployment. Many of the listening public didn't have an opportunity to follow the hearing, and I'm going to just ask my colleagues if I may just go over this one time.

Presently, when an engine hits a scene, I believe there are three firefighters, Mr. President, on that engine. One is dropped off at the hydrant getting ready to charge the line. The other person, obviously, is with the engine, and the other firefighter is taking the attack line into the structure, if it's a structure fire. Basically, what the Administration is saying in this new plan is that we need four people on that engine in order to have two people with the attack line because two people should go into a structure fire. That is where they're getting the extra manpower, by taking them off of the squad. What they don't realize and what I followed is, once a squad car hits the scene, obviously after those people do rescue and search, they're available and they go and help the engine.

As you said, Mr. President, the squad car is there nearly 100 percent of the time before the engine. It's something like 80 percent, if I'm not mistaken. The engine will make it to the structure fire from between two to three blocks before the squad car. But anything beyond that, the squad car is there first.

We have to realize, when that squad car is leaving the station, Mr. President, two firefighters are getting dressed in the squad car. When it arrives, those two are ready to go for the search and rescue. And again, I am not willing to leave search and rescue as part of our firefighting attack. I think what is very important is that we look at the whole deployment scene.

I'm willing to save money in all departments, but if we're just willing to save money at the expense of fire fighting, I'm not sure that this is the place we could save. Maybe it is in the bureaucracy of the Public Safety Department. As a matter of fact, from the very few discussions I have had with fire people, I find that we're one of the few major cities with a Public Safety Department.

So, maybe we have too much bureaucracy. And if we're going to fight fires, I don't know if we need much bureaucracy; I'd rather have people on the street.

So, it's something I'm willing to look at, including fire prevention, and maybe the quint. But I'm not going to let this quint, Mr. President, muddle our scene here or close ourselves off to the real issue, and that's deployment. Thank you, sir.

The Chair:

I agree.

Michelle Madoff:

I have another subject that I wish to raise again, not for really an action today but I just want to share information with my colleagues.

I'm sure everybody, maybe not everybody but many people, read the editorial in last night's Press about what a boondoggle and what a wrong move it would be for this Council to

get involved with establishing a Department of Aging or an Office of Aging.

My concept, as you may recall, was just to create an office, a desk, and shifting of dollars from monies we already have in the City to provide this little bit of money so that our seniors in the City which, as you know, we're an aging population, would be able to deal with what they believe are priorities, not the least of which is looking towards a national health policy.

It's an easy way out and I recognize the language in the editorial being out of the mouth of the Administration because I have heard the same party line which is, "Can't do it, that's the County's function. And if we do it, it will grow like topseed and it will go from one secretary and who's going to be the boss, and who's going to be hired, and who's going to do this, and who's going to do that." It's so easy for people to say how things can't be done.

If the media had researched, they might have recalled that we had a Commission on Women, the Mayor's Commission on Women. It got its start here with a little bit of money and then it was moved out into the private sector.

All they're asking for is to get started, to get a little help. And the fact that with an aging population, that goes to the polls, Mayor Masloff, that they would even consider, even think for one minute, of not interacting with the people, the greatest voting public in this area, the ones who are most affected, those who have given their lives to building this City, who don't have

incomes, who are being taxed, to not respond to their needs is unfathomable to me. I can't believe it.

I wanted to state my opinion and I think we as a body at budget time should start thinking about, and I'm sorry the Finance Chairman isn't here, how we can help an Office for Aging. Just a desk, an office, a typewriter and some Xeroxing facilities and a telephone could be absorbed in our cost. I know Mike is a genius and will find us a little office space somewhere. If you have to, you can take part of my office. I have my office divided into three segments. I'll give up one segment if I have to. I'll move out of my office, my little cubicle, into where my staff is and they can have my space.

I am really distraught, upset, because I talk to these people. This is not a Johnny-Come-Lately issue. For the last two years I have been out on the trail talking to AARP, senior citizen groups, about the fact that we are a force and if we stick together we can get what is rightfully that of the Gray Panthers, like myself.

Michell Madoff moved to approve the Minutes of Monday, November 4, 1991 and Tuesday, November 12, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of Mr. Regan

Council adjourned.

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, November 26, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff:

May I please ask that Jim Kreshna, Dorothy Miller, Laura Shaney, Myra Miller, Ella Mae Phillips all come forward? Start moving. Thenia Croom, Aaron Barrax, Charles Blair, Marie Groppi, John and Helen Kilchenstein - if I get your names wrong, you can tell me later - Jean Marshall, Norma Delaney, Mary Gessner, Sam Valicenti, Joe Lucas, Sam Worhatch, Myrtle Turton and Ann Ranka all come up and join me. Everybody that went on the trip. If I have missed anybody who was on the trip to Baltimore, please come forward. I like the seniors; they're really taking control of the world. I wasn't called up here but I was on the trip and I'm stepping up here, so that's wonderful.

Mr. Darkins:

Gene was on the trip.

Michelle Madoff:

Come on, Gene. Everybody that was on the trip. Come on, Gene.

I will quickly read the resolution and then get on to what we're hoping to do. I shouldn't say hoping; we're going to make it happen, right everybody?

Michelle Madoff presents

No. 3516 WHEREAS, on October 22nd and 23rd, a group of senior citizens from the City of Pittsburgh traveled to Baltimore, Maryland on a fact-finding trip to study the City of Pittsburgh's Office on Aging; and

WHEREAS, the purpose of the trip was to evaluate Baltimore's Office on Aging, hailed as a model in this country, by examining its structure and programs to determine the feasibility of opening such an office in the City of Pittsburgh; and

WHEREAS, the senior citizens, members of the City's Advocacy Delegate Council, met with City officials in Baltimore to discuss on-going areas of concern to senior citizens: health, nutrition, volunteer management, and others seeking to improve the services we provide our senior citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and thanks Toni Novak, Rose DeChesaro, Josephine Mager, Marguerite Passafiume, Dorothy Miller, Laura Shaney, Myra Miller, Ella Mae Phillips, Thenia Croom, Aaron Barrax, Charles Blair, Marie Groppi, John & Helen Kilchenstein, Jean Marshall, Norma Delaney, Mary Gessner, Sam Valicenti, Joe Lucas, Sam Worhatch, Myrtle Turton and Ann Ranka for their participation in the Baltimore trip, for the invaluable information, input and suggestions presented to this Council and for their assistance in exploring the creation of the City of Pittsburgh's Department on Aging.

Michelle Madoff moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

All the Members of Council have a little kit that we prepared, including answers to the most frequently asked question: How would the Commission on Aging be different from what exists now on a County level? I think many of the questions are asked but I'd like to just try to touch on some of the basic points.

This morning, and hopefully we'll waive Rule 8 for tomorrow and we'll send this to be set as a hearing for review by the Administration, I'm introducing legislation, as I promised you I would, to create a Department on Aging for the City of Pittsburgh.

For those of you who may not know, for two years now I have been traveling all over this community talking to senior citizens, talking to AARP groups, and anybody who wanted to hear about the fact that we have mutual concerns and we ought to address them.

I believe that from the response you've heard already from my colleagues in Council, they will support the creation of a Commission for Aging because they are responding to the needs of their senior constituents that they deal with day in and day out.

As I stated during last year's budget process, senior citizens urge the City to create a Pittsburgh Department of Aging under the auspices of the Mayor's Office. Its purpose would be to pull together fragmented services offered by various existing agencies and to develop a system of identifying changing needs. Who knows better than the people who are in the program?

Currently, the City operates a Senior Citizen Program that is run under the Department of Parks and Recreation. This program,

unfortunately, is outdated. As proposed, the new department will reorganize the existing staff and transfer the existing operating budget of the Senior Citizen Program now housed under Parks and Recreation into this Office of Aging. We are not talking about additional dollars but doing more and better with what is allocated from federal, state, county and local dollars.

The Department of Aging will seek funding when necessary from the private sector, foundations, health insurance agencies like Blue Cross, Blue Shield, to fill in the gaps. And may I just point out that we did have a Commission for Women under the auspices of the Administration. It was funded by this Council for three years and then they went out into the private sector.

The Department of Aging will not create a new bureaucracy. That's how we kill the program. We don't need another bureaucracy. We will not create a new bureaucracy. This is an attempt to consolidate the current funding and reorganize, refocus, the program to be more efficient and cost-effective serving all growing elderly population.

Recent census figures reflect that more than 23 percent of the City's population is over the age of 60. By the year 2000, that percentage will rise as the post World War baby-boomers begin to gray.

The new Department of Aging will provide a mechanism in City government that will not only be responsive but will plan for growing and changing needs. Seniors are living longer and staying younger. For the most part, they're healthier. But the rising cost of health care is a major concern. Catastrophic injury or illness has a potential of turning those of us on fixed incomes into paupers and burdens to their children. They deserve better, don't we?

It's time seniors had the opportunity to play a role in the creation of national health care and they know their needs better than anyone.

Included in the packet are some of the most frequently asked questions, as I just stated, concerning the creation of the Department of Aging, and some other material that we had put out previously, so we just recycled it.

Now, the kind of questions that I was asked by a reporter today, be specific. What is it that you want to do? Well, for example, right now the Health Department, the existing Department on Aging, the County program, occasionally gives a little blood pressure test. Yesterday, when we met with Dr. O'Connor, my colleagues know that Dr. O'Connor suggested using the facilities of the health hospitals connected with the Universities. So, let's go beyond just getting a blood pressure test, but get a broad spectrum of testing and health prevention.

We need to deal with the image of aging so that people don't think we're a bunch of old fogies and by the wayside.

The barriers to the quality of life and access to the service have to be broadened.

Senior citizens have much to offer, not the least of which many of them are trained skills which we are losing. The new generation doesn't have them. These people, in many instances, want to go back to work and be useful and have job opportunities.

Housing. There is no central source to provide housing for people. I have heard from the City that every day we get at least five phone calls and they're not even able to route them in the direction of housing. I know that because, when we had the fire on Mount Washington, I spent a day finding housing and furniture that the Red Cross didn't provide. There is no central way of

providing housing.

Advocacy. Informal programs and goals and objectives. These are the things that the seniors want to do for themselves. And I'm sure that I've only touched on two or three. This is an evolving program. We all say we want a Commission for Aging. We need to be very specific and that is what the Office Aging, the beginning, will do through public hearings. And this afternoon I will call for a public hearing but I would ask my colleagues to very seriously think about putting aside the dollars that we now put into Parks and Recreation, to just move them over as a program emerges into a Commission for Aging.

Mr. Lucas:

Council President, Jack Wagner, and Councilmen, I want to thank you at this time for the opportunity that you gave us to go down to Waxter and further our information and the monies that was allocated, the transportation and everything else that went along with it. Thank you.

Michelle Madoff:

I would like to ask my colleague who has been I can't tell you how supportive and how knowledgeable because he has worked in these programs for 200 years and he's only 22 years old, Gene Ricciardi. The previous life.

Mr. Ricciardi:

I'd just like to thank this opportunity to thank all of the colleagues who really supported the initial trip down to Baltimore because it was a good learning experience.

I think what Michelle is doing here is refocusing our priorities from recreation to the diverse needs of the seniors. If you look at the

mission statement of Parks and Recreation, you would see in the mission statement we talk about recreation. Basically, we're talking about bingo games. And our senior citizens are far beyond just playing bingo.

I think in the days to come Michelle will be able to talk about this Department of Aging and I think she will definitely have the support of myself and I'm sure many of our colleagues. So, thank you very much. Thank you.

Ms. Groppi:

I am Marie Groppi and I'm from the Mount Washington Senior Center, and I want to say good morning to everyone, especially to Jack Wagner, President of Council, and the rest of the Councilmembers, and also especially Gene Ricciardi and Michelle that have worked so hard trying to get this trip for us. And they came through. And the trip was fantastic. The bus was the best bus I ever rode on - Anderson's.

We did get a lot out of going on that trip. And I think that Pittsburgh, I'm just going to express my opinion, I think that Pittsburgh really needs a central medical center that can take care of people from head to toe. I mean the elderly.

All I can say is thank you for everything and I want to thank everybody that sponsored the trip.

Michelle Madoff:

Let me again tell you that the bill will be introduced today. It comes up for referral tomorrow for 30 days before we can have a hearing. And when we have the hearing, I expect you to be here with all the details of what a Commission for Aging will do for you specifically.

Mr. Valicenti:

My name is Sam Valicenti and I'm from Sheraden. I'll tell you, we've been working on this project now for about two years. Joe Lucas and I, and these people up here, have put a lot of time into this.

As I look around this room, there's mostly gray-haired people, all but these Councilpersons. But someday you're going to be in our shoes.

The Chair:

Some of us are getting there, Sam.

Mr. Millions:

Some of us are already there.

The Chair:

We thank all of you for coming today and, Councilwoman Madoff, your efforts on this legislation, and all of you out there that participated also. Thank you very much.

Mr. Cohen presents

No. 3517 WHEREAS, Tree of Life Congregation's Tribute Dinner honoring Mayor Sophie Masloff for her outstanding and lifelong commitment to the health and welfare of those seeking refuge in the State of Israel takes place on Sunday, November 24, 1991; and

WHEREAS, Mayor Masloff will receive the prestigious "Gates of Jerusalem" Medal from the National Israel Bonds organization; and

WHEREAS, Mayor Masloff has traveled to the Soviet Union to speak with refuseniks, served on the Pittsburgh Conference on Soviet Jewry, and otherwise worked to support the Israel Bonds organization in its efforts to provide and

improve public works within Israel.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Mayor Sophie Masloff for her recognition by the State of Israel Bonds and commends her fine work in public service.

Mr. Cohen moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 3478 Resolution providing for the transfer of funds totalling \$10,000.00 from Code Account 1166, Salaries and Wages, Regular Employees, to Code Account 1167, Wages Regular and Extra Employees, all accounts within the Department of Environmental Services. This transfer is necessary to continue to pay for Salaries and Wages, Regular Employees until the end of the year.

Also,

No. 3479 Resolution transferring the amount of \$3,000.00 from Code Account 1608, Salaries and Wages, Regular Employees, to Code Account 1640, Salaries, Regular Employees, and the amount of \$5,000.00 from Code Account 1608, Salaries and Wages, Regular Employees, to Code Account 1641, Wages, Regular Employees, all within the Department of Public Works.

Which were read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the

meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 3480 Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Western Pennsylvania Hospital for authorization to construct a two-story extension to an existing two-story service building, and new nine-story East Tower extension totalling approximately 148,000 square feet, both on property generally bounded by Friendship Avenue, Gross Street, Liberty Avenue, and South Mathilda Street and zoned "R4", Multiple-Family Residence District, 8th Ward, Council District No. 8.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 3481 Resolution amending Resolution No. 507, effective May 30, 1991 as amended by Resolution Nos. 706, 956, and Bill No. 3382 (Res. No. _____ of 1991, for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development

for a grant in connection with the 1991 Community Development Block Grant Program, so as to reprogram funds under City Council to the Department of City Planning.
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 3482 An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 543 - Parking Meters, Section 543.01, Parking Meter Zones, by providing uniform hours of enforcement of metered parking on City streets. --- (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Safety.

Michelle Madoff presented

No. 3483 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article III - Organizations, by adding Chapter 140 - Department of Aging.
---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Millions presented

No. 3484 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania to refund a reimbursement received from Pittsburgh Literacy Initiative, a program of Goodwill Industries of Pittsburgh in connection with computer hardware and software maintenance paid for under the SPOC contract which ended June 30, 1991. The total warrant will not exceed \$1,440,00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 3485 Resolution authorizing the transfer of \$560,000.00 from Code Account 1, Interest on Bonds and Notes, and \$1,340,000.00 from Code Account 1154-1, Rental of Motorized Equipment, Department of General Services, to Code Account 45, Health Insurance Municipal Employees, Department of Finance. This resolution shall become effective upon the signature of the Mayor.

Which were read and referred to the Committee on Finance.

Also,

No. 3486 Resolution authorizing the Mayor, the Director of Engineering and Construction and the Director of General Services to enter into an agreement or agreements amending the May 2, 1991 Cooperation Agreement between the City, the County of Allegheny, the URA of Pgh., and the Public Parking Authority of Pittsburgh regarding the Public Safety Complex to provide for the granting of easements to each party over their respective parcels, to provide for the quitclaim deed to the URA of certain property received by the City from the Pennsylvania Dept. of Transportation, and to provide for the installation

of building and utility lines and further authorizing the Mayor and the said Directors to execute instruments to effect the conveyance of such easements, licenses and quitclaim deed.

Also,

No. 3487 Resolution providing for a Cooperation Agreement or Agreements between the City and the Public Parking Authority of Pittsburgh to provide for the transfer of funds from the Authority to the City in connection with the development of the Public Safety Complex and to otherwise implement the responsibilities of the City and the Authority under the May 2, 1991 Cooperation Agreement between the City, the County of Allegheny, the Urban Redevelopment Authority of Pittsburgh and the Public Parking Authority of Pittsburgh.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Millions moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 3488 Resolution providing for the issuance of a warrant in the sum of \$4,210.00 to Edward W. & Jane Williams, c/o Henry Miller, III, Esquire, their Attorney, 1705 Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City Emergency Medical Service vehicle at Brownsville Road and Margaret Street in the Mt. Oliver section of the City of Pittsburgh on or about September 4, 1988,

payable from Code Account No. 46, Judgments.

Also,

No. 3489 Resolution transferring the aggregate amount of \$45,000.00 from Code Account 1048, Miscellaneous Services, \$6,000.00 from Code Account 1048-1, Education & Training, \$4,000.00 from Code Account 1051, Equipment, \$29,000.00 from Code Account 1052, Inspection, and \$6,000.00 from the Office of the City Controller, to Code Account 1046, Salaries, Regular/Temporary Employees, Office of the City Controller. This transfer will provide sufficient funds to cover current and future expenditures for the remainder of 1991.

Also,

No. 3490 Resolution providing for an Agreement or Agreements with a consultant or consultants for consulting services to assist the City of Pittsburgh in acquiring state assistance and funding and to work with various agencies of government for the benefit of the City of Pittsburgh during 1992, at an aggregate cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office. This resolution shall be effective January 1, 1992.

Also,

No. 3491 Resolution designating Banks and Lending Institutions to act as Depositories for the year 1992 in accordance with the Pittsburgh Code, Title Two-Fiscal, Article III, Depositories.

Also,

No. 3492 Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled,

"Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 3493 Resolution Repealing Resolution No. 980, Item F, effective October 25, 1991, which repealed Resolution No. 959, Item H, effective December 4, 1989, which authorized the sale of 2-1/2 story, frame and shingle house on a lot 20' x 110', located at 2126 Eccles Street, 16th Ward, Block 13 K, Lot 28, to Linda D. Roeper & Herbert W. Roeper, III, for the sum of \$1,500.00. The reason for repealing Item F of Res. No. 980, eff. Oct. 25, 1991 is that the Balance Payment was received after the Forfeiture proceedings were initiated. (Council District #2)

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 3494 Resolution approving a Public Safety Emergency Telephone Act Plan, establishing a contribution rate for telephone subscribers, authorizing the Director of Public Safety to submit the plan for approval of appropriate state agencies and providing for the collection of the contribution rates. The contribution rate as approved by the Department of Community Affairs shall be imposed and collected immediately upon the date of approval by said department under the provisions of the Act.

Which was read and referred to the Committee on Public Safety.

Also,

No. 3495 Resolution transferring the aggregate amount of \$40,000.00 from Code Account 1, Interest on Bonds and Notes to Code

Account 1420-2, Wages Regular Employees. This transfer is necessary to pay the wages of Paramedics and Crew Chiefs through the end the year. This resolution shall become effective upon the signature of the Mayor.

Also,

No. 3496 Resolution authorizing the transfer of \$10,000.00 from Code Account 1476, Miscellaneous Services, Department of Public Safety, and \$5,000.00 from Code Account 1020, Equipment, Mayor's Office to Code Account 1475, Salaries, Regular and Temporary Employees, Department of Public Safety. This transfer is necessary due to insufficient funds in Code Account 1475. This resolution shall become effective upon the signature of the Mayor.

Also,

No. 3497 Resolution authorizing the transfer of \$290,000.00 from Code Account 1977, Water Utilities, to Code Account 1461, Salaries and Wages, and \$10,000.00 from Code Account 1977, Water Utilities, to Code Account 1461-2, Ingrade. These transfers are necessary to cover payrolls for the remainder of 1991 in the Bureau of Fire. This resolution shall become effective upon the signature of the Mayor.

Also,

No. 3498 Resolution transferring the aggregate amount of \$642,443.00 from various Department of Public Safety Code Accounts, and Code Account 1978 Water Chemicals, to Code Account 1443, Police Salaries and Wages, Bureau of Police, Department of Public Safety. These transfers are necessary to cover payrolls for the remainder of 1991 in the Bureau of Police.

Also,

No. 3499 Resolution transferring the amount of \$400,000.00 from Code Account 45, Health Insurance-Municipal Employees, to Code Account EMSTF, Emergency Medical Services Trust Fund, Department of Public Safety. This resolution shall be effective January 1, 1992, provided funding is approved by City Council.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3500 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Emergency Medical Services Trust Fund (EMSTF), for the deposit of monies received from the provision of ambulance and rescue services and authorizing the use of monies deposited therein by the Department of Public Safety, Bureau of Emergency Medical Services, only. Payments may be made by the Bureau of Emergency Medical Services for a portion of the costs and expenses of the operation of the emergency ambulance and rescue services, including but not limited to wages, salaries, premium pay, miscellaneous services, supplies and equipment. The Index Code for this trust fund is 251785.

Which was read and referred to the Committee on Public Safety.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Millions seconded the motion.

Which motion prevailed.

Mr. Ricciardi presented

No. 3501 An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article I - General Provisions, Chapter 103, "Official Standards," Section 103.04, "Marking City Vehicles."

--(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on General Services.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 3502 Resolution authorizing the issuance of a warrant in favor of Penn Medical Supply Company in the amount of \$1,995.00 in payment for one Combo Outpatient Cool Spot Light furnished for the Veterinary Hospital at the Pittsburgh Zoo, payable from Code Account No. 1859, Equipment, Department of Parks and Recreation, The Pittsburgh Zoo.

Also,

No. 3503 Resolution authorizing the issuance of a warrant in favor of Geyer Printing Company Inc., in the amount of \$10,000.00 in payment for the printing of the summer magazine, chargeable to and payable from Code Account SPP, Special Parks Programs, Department of Parks and Recreation.

Also,

No. 3504 Resolution authorizing the issuance of a warrant in favor of Chance Rides Inc. in the amount of \$798.52 in payment on a compressor furnished for the train at the Pittsburgh Zoo, payable from Code Account 1859, Equipment, Department of Parks and Recreation, The Pittsburgh Zoo.

Also,

No. 3505 Resolution transferring the aggregate amount of \$600,000.00 to various code accounts from Code Account SPP, Special Parks Program the amount of \$100,000.00 from Code Account SSFSP, Special Summer Food Service Program the amount of \$500,000.00 in the Department of Parks and Recreation.

Also,

No. 3506 Resolution transferring the amount of \$8,000.00 from Code Account 1859, Equipment, Pittsburgh Zoo to Code Account 1853, Utilities, Pittsburgh Zoo, Department of Parks and Recreation. This Resolution shall become effective upon the signature of the Mayor. This transfer is necessary to enable the Department to pay electricity invoices for the remainder of this year.

Also,

No. 3507 Resolution transferring the aggregate amount of \$150,000.00 from various code accounts to Code Account 1818, Wages, Regular and Temporary Employees, in the Department of Parks and Recreation. This resolution shall become effective upon the signature of the Mayor. This transfer is necessary due to the hiring of temporary laborers in accordance with the union agreement. These funds are to pay wages for the Parks Laborers for the remainder of the year.

Also,

No. 3508 Resolution transferring the aggregate amount of \$200,000.00 to Code Account 1803, Utilities in the Department of Parks and Recreation the amount of \$150,000.00 from Code Account 1982, Miscellaneous Services, Distribution Division, in the Department of Water, and the amount of \$50,000.00 from Code Account 1800-1, Premium Pay, in the Department of Parks and Recreation. This resolution shall become effective upon the signature of the Mayor. This transfer is necessary for the payment of electric invoices for the remainder of the year.

Also,

No. 3509 Resolution authorizing the transfer of funds in the amount of \$2,500.00 from Code Account 1800, Salaries, Regular Employees to Code Account 1828, Salaries and Wages, Point State Park, all in the Department of Parks and Recreation. This resolution shall become effective upon the signature of the Mayor.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3510

Report of the Committee on Finance for November 20, 1991 transmitting sundry resolutions to Council.

Which was received and filed.

Michelle Madoff:

Mr. President, these are two unrelated

bills. They have no connection to one another. Can we just take one and get it out of the way? Can we take 3417 first and then I would like to talk about 3349.

The Chair:

Whatever the will of Council is.

Also, with an **NEGATIVE** recommendation.

Bill No. 3349

A Resolution entitled, "Resolution amending Section 1(a) of Resolution 564, approved July 17, 1989, and amended by Resolution 844, approved October 27, 1989, entitled: 'Authorizing the implementation of an employee Tuition Reimbursement Program for the City of Pittsburgh,' by reducing the rate of reimbursement to fifty percent (50%)."

Which was read.

Mr. Ferlo:

Point of Order, Mr. President, just for clarification. The Administration did not express the desire that this bill be defeated. They submitted, I believe today, they sent over a substitute bill which still reduces the benefits on employee tuition to 50 percent, which I think a majority of us will also defeat.

Michelle Madoff:

We're on a different bill.

Mr. Ferlo:

We're on 3349, that we just voted on. I only wanted to clarify that we defeated Bill 3349 and if the Administration has a new bill they have to resubmit it through the Clerk's Office.

Mr. Coyne:

Jim, we haven't yet.

Mr. Darkins:

We haven't done it yet.

The Chair:

There's one of two ways we can do it. We could put it back into Committee and substitute this bill with that bill, or we could defeat this bill.

Michelle Madoff:

Mr. President, once more, the Administration has given us a request at zero hour and my colleagues have not had a chance to look at the new bill that was prepared by the Law Department. We draft it and the Law Department put it in legalese. I have four copies, I think I gave one to Mr. Ferlo, and there are four other copies. The bill needs to be substituted and I don't believe anyone has had a chance to look at it. So, it seems to me that we ought to hold this bill for a week.

Mr. Ferlo:

Can I raise a Point of Order? I apologize to Michelle. We always go in order of the bills. I assume we were talking and had just now voted on Bill 3349, the tuition bill. That's why we should maintain the agenda. I still have discussion on 3417 regarding the investment bill of the Japanese and now we have already voted on it. Would the Chair please clarify what we're voting on?

The Chair:

I did, and I'm sorry if I didn't say what bill was what number.

Mr. Ferlo:

I assumed we were voting in order which is what we've been doing for the three years that I have been here.

The Chair:

Right now we're discussing 3349 which is the tuition reimbursement bill.

Mr. Ferlo:

And in effect, we already voted no on 3417 and there's no discussion.

The Chair:

There's always the option to talk about a bill at a later time in the meeting.

Mr. Ferlo:

Thank you, Mr. President.

Michelle Madoff:

Again, the legislation was just submitted by the Administration and you know my position. I asked to have the bill held because I felt that those people who already committed themselves to going to school and to the financial commitment of 80 percent reimbursement should be grandfathered. If you're already in a program, already in a course, you should get your 80 percent reimbursement. But anybody starting now could start at 50 percent.

I also added the thought that what we need to do is not put people through school at the taxpayers' expense and not get something in return like the military does. If you become a doctor or a lawyer, you give back two years unless, of course, the Administration changed or someone is let go and their services are not

required. But, if you leave voluntarily, Glenn Cannon gets trained to be a lawyer and two years from now, or a year and a half when he's done, he says, "Well, I want to leave", he either gives us two years or he reimburses us. And that would apply to anybody in the City.

I know several of my very close friends are taking programs in the City to be better able to handle their jobs and finance. It's wonderful to get them to be CPAs and they're getting it under the 80 percent tuition. Whether it's 50 or 80 is irrelevant. The issue is, they must give back two years to the City. And if they don't do that, they should reimburse us.

That's what basically is in this legislation and we ought to hold it so that you get a copy of it.

Mr. Milliones:

Is that a motion to hold for one week?

Michelle Madoff:

I'm holding the bill so I can get the new bill or we can do this by substitution and then hold it.

Mr. Milliones:

We can hold it for one week and then substitute that bill. Is that a motion to hold?

Mr. Coyne:

You can't have a motion to hold in this meeting; it's a motion to recommit.

Mr. Cohen:

Mr. President, if I may. I think the proper procedure would be to recommit the bill, it will come up tomorrow, and then you can amend by substitution.

Mr. Milliones seconded the motion.

Mr. Coyne:

Opposed.

WHICH MOTION PREVAILED.

Michelle Madoff:

Would you clarify what just happened?

The Chair:

The bill is put back into Committee.

Also, with a **NEGATIVE** recommendation,

Bill No. 3417

A Resolution entitled, "Resolution authorizing and directing the Director of Finance, on behalf of the City of Pittsburgh, to enter into a Forward Purchase Agreement in connection with the City's General Obligation Bond Issue, Series of 1985, by and among Mellon Bank, N.A. and Mitsui Taiyo Kobe Global Capital, Inc."

Which was read.

Michelle Madoff:

I believe there's a motion before Council that we not proceed with this and that the Administration recalled it anyway. It's a matter of just voting it down, and that's it.

Mr. Milliones:

Call the question, Mr. President.

The Chair:

I'd like my comments brought forward on that bill.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 3417-Wednesday, 11/20/91)

Mr. Wagner:

Director, based on Council's inquiry last week, a list of banks that were approached by Paine-Webber, do you have that information available?

Mr. Hayllar:

Yes. They were aware of four banks, and I submitted the names to you the other day. This is the only one that does this for 15 days. But recognizing the sentiment on Council and even our inability to pronounce the name of this institution, we would either withdraw the legislation or ask Council to defeat it. We would then resubmit it at such time as we can find an American institution willing to do this.

Mr. Wagner:

I know we have discussed this privately since last week and talked about you pursuing a Pittsburgh bank, and it is my understanding that several Pittsburgh banks do this work. Do you have available right now, a Pittsburgh bank that we can amend the legislation?

Mr. Hayllar:

Both of the ones you and I discussed told us they don't do it. We suggested to them that we have gone to other sources in the institution and asked them to double check that.

Mr. Wagner:

It is my understanding, and maybe you can inquire through Merrill Lynch or other investment companies, that there are a multitude of banks in this country that do this work. Certainly I am prepared to amend it.

Mr. Hayllar:

I don't have a substitute at this time. We have been turned down. I look forward to being able to come back to Council with a substitute institution that will do this. But it is not available now.

Mr. Wagner:

Well, I would hope that we would come back with another bill as soon as possible and that bill to reflect a local institution.

Mr. Hayllar:

We are in agreement.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	Pres't)

AYES none NOES 9

And a majority of the votes of Council being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 3364

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$695.92 in payment of railroad flagging services required during the inspection of the Pennsylvania Avenue Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3365

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of CSX Transportation in the amount of \$791.58 in

payment of railroad flagging services required during the inspection of the Elizabeth Avenue, Herron Avenue and Swinburne Street Bridges; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3374

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Pennsylvania Drilling Co., in the amount of Three Thousand Five Hundred (\$3,500.00) Dollars for drilling foundations on a retaining wall on Hartford Street."

Which was read.

Also,

Bill No. 3418

A Resolution entitled, "Resolution providing for the issuance of a \$825.00 warrant in favor of John P. and John F. Abriola in settlement of claim for sidewalk damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan

Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3419

A Resolution entitled, "Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement with Neighborhood Legal Services Association to provide legal representation to indigent city residents in connection with domestic violence or other domestic legal problems, at a cost not to exceed Four Thousand Five Hundred Dollars (\$4,500) chargeable to and payable from Code Account 1075, Index Code 107508, Miscellaneous Services, Department of Law."

Which was read.

Also,

Bill No. 3420

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

Also,

Bill No. 3421

A Resolution entitled, "Resolution providing for

the conveyance of certain property in the 25th Ward, City of Pittsburgh, designated as Block 45 S, Lot 356, to Mark L. Munsch, for the sum of \$350.00 + Costs."

Which was read.

Also,

Bill No. 3422

A Resolution entitled, "Resolution Repealing Resolution No. 906, Item H, effective October 9, 1991, which repealed Resolution No. 690, Item I, effective June 11, 1990, which authorized the sale of four lots 12.3 x 77; 12.87 x 73; 12.07 x 73; and 12.5 x 73, located at 709-711-713 & 715 Columbia Way, 25th Ward, Block 23 E, Lots 314-315-316 & 317, to Gregory Mucha, for the sum of \$1,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3425

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Rochez Bros., Inc., in the amount of \$821.52 in payment for the purchase of cinders for Frick Park Trails furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3457

A Resolution entitled, "Resolution authorizing the transfer of five thousand dollars (\$5,000.00)

from Code Account 1421, Index Code 142109 Miscellaneous Services, and twenty-four thousand four hundred dollars (\$24,400.00) from Code Account 1423, Index Code 142307 Equipment, to Code Account 1422, Index Code 142208, Supplies and Materials, Bureau of Emergency Medical Services, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 3511

Report of the Committee on Public Works for November 20, 1991 transmitting sundry resolutions to Council.

Which was received and filed.

Also, with an affirmative recommendation.

Bill No. 3261

A Resolution entitled, "Resolution granting unto Raff Printing, 82 Allen Street, their successors and assigns, privilege and license to construct, maintain and use at their own cost and expense, a fire escape over a portion of the sidewalk of Industry Street in the 18th Ward, 3rd District of the City of Pittsburgh."

Which was read.

Mr. Ricciardi:

On Bill 3261, as I said last week, on behalf of the community group of Allentown and many residents of the Allentown area, we'd like to thank Councilman Darkins for several times holding this bill and giving us the opportunity to work out some problems that we had in the area between Raff Printing and the residents. Thanks to Councilman Darkins for giving us enough time to do that.

Also,

Bill No. 3375

A Resolution entitled, "Resolution granting unto Cara A. Ferrie, 1703 Crosby Avenue, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a fence on a portion of the right of way of Fallowfield Avenue, a 20' foot way in the 19th Ward, 4th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3376

A Resolution entitled, "Resolution granting unto

Independent Resources East, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) laterals and a landscaped area on a portion of the sidewalk of N. Winebiddle and Dearborn Streets in the 10th Ward, 7th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3377

A Resolution entitled, "Resolution granting unto Patricia Gornick, 1515 Eckert Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a retaining wall on a portion of the right of way of Knapp Street in the 27th Ward, 1st District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3378

A Resolution entitled, "Resolution vacating Cygnet Street, beginning at a point on the northeast corner of North Braddock Avenue and Cygnet Street, thence along Cygnet Street S 66 38'E a distance of 143.95 ft. to a point, thence crossing Cygnet Street in a southwesterly direction N 66 38'W a distance of 131.25 ft. to a point at the corner of North 29 59' 40" E a distance of 25ft. to place beginning in the 14th Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins:

In accordance with Section 322 of the Home Rule Charter, I move that Bill 3378 become law effective upon the signature of the Mayor.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo presented

Bill No. 3512

Report of the Committee on Planning, Housing and Development for November 20, 1991 transmitting sundry resolutions to Council.

Which was received and filed.

Also, with an affirmative recommendation.

Bill No. 3180

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to NSCS/USA Housing Development Corporation for authorization to construct a five-story structure containing 50 dwelling units for the elderly with parking to accommodate 16 automobiles, located at 4720 HATFIELD STREET on property zoned 'C3' Commercial District, 9th Ward."

Which was read.

Also,

Bill No. 3380

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS/REAR YARDS)."

Which was read.

Also,

Bill No. 3381

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned properties, under the Residential Land Reserve Fund (SIDEYARDS/REAR YARDS)."

Which was read.

Also,

Bill No. 3382

A Resolution entitled, "Resolution amending Resolution No. 507 effective May 30, 1991 as amended by Resolution Nos. 706 and 956 of 1991, for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program," so as to reprogram funds in the City Planning Department and the Department of Engineering and Construction; the Department of Fire and the Urban Redevelopment Authority."

Which was read.

Also,

Bill No. 3383

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 301, effective April 24, 1984, as amended by Resolution No. 728, effective August 21, 1984, by Resolution 284, effective March 30, 1987, by Resolution No. 548 of 1989, by Resolution Nos. 136 and 1180 of 1990, and by Resolution No. 876 of 1991 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Redevelopment for a grant in connection with the 1984 Community Development Block Grant Program,' so as to reprogram funds from Engineering and Construction to the Urban Redevelopment Authority."

Which was read.

Also,

Bill No. 3384

A Resolution entitled, "Resolution amending

Section 1 of Resolution No. 43 of 1976, as previously amended by Resolution No. 43 of 1976 as previously amended by Resolution Nos. 45, 109, 162, 167, 586 and 633 of 1976, and by Resolution No. 39 of 1979, and by Resolution No. 440 of 1980, and by Resolution No. 554 of 1982, and by Resolution No. 99 of 1990 entitled 'Providing for the establishment of program categories for the Community Development Block Grant Program Trust Fund and the Model Cities Program Trust Fund,' so as to reprogram funds from City Council to City Planning."

Which was read.

Also,

Bill No. 3385

A Resolution entitled, "Resolution amending Resolution No. 1046 of 1976, as previously amended by Resolution No. 551 of 1977, Resolution Nos. 595 and 596 of 1978, Resolution No. 591 of 1979, Resolution No. 1418 of 1981, Resolution No. 151 of 1982, Resolution NO. 104 of 1986 and by Resolution No. 704 of 1987 and Resolution No. 142 of 1990, entitled 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1977 Community Development Block Grant,' by decreasing a line item in City Council and adding reprogrammed funds to City Planning."

Which was read.

Also,

Bill No. 3386

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1549 of 1978, previously amended by Resolution Nos. 251, 317 and 649 of 1979, by Resolution Nos. 286 and

1192 of 1980, by Resolution No. 1203 of 1981, by Resolution Nos. 393 and 1013 of 1983, by Resolution No. 100 of 1986, by Resolution No. 677 of 1987, and by Resolution No. 140 of 1990 entitled 'Providing for the filing of an application with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program,' so as to reduce line items in the Department of Public Works and the Department of Housing and add reprogrammed funds to City Planning."

Which was read.

Also,

Bill No. 3387

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution Nos. 359 and 835 of 1981, by Resolution Nos. 417 and 830 of 1982, by Resolution Nos. 212 and 1012 of 1983, by Resolution No. 151 of 1984, by Resolution No. 115 of 1988 and by Resolution Nos. 138 and 1179 of 1990 entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1981 Community Development Block Grant Program,' so as to decrease funds in City Council and reprogram these funds to the Department of City Planning."

Which was read.

Also,

Bill No. 3388

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 167, effective March 7, 1983, as amended by Resolution Nos.

394 and 692 of 1983, by Resolution No. 940 of 1984, by Resolution No. 634 of 1985, by Resolution Nos. 103, 177, 515 and 660 of 1986, by Resolution Nos. 286, 443, 502 and 705 of 1987, by Resolution No. 549 of 1989, by Resolution No. 137 of 1990 and Resolution No. 38 of 1991, entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1983 Community Development Block Grant Program,' so as to reprogram funds in the Department of City Planning and City Council."

Which was read.

Also,

Bill No. 3389

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 1150 of 1984 as amended by Resolution No. 635 of 1985 and by Resolution No. 285 of 1987 and by Resolution No. 50 of 1989 and Resolution Nos. 135 and 1181 of 1990 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1985 Community Development Block Grant Program' so as to reprogram funds in the Department of City Planning and City Council."

Which was read.

Also,

Bill No. 3390

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 234 of 1986, as amended by Resolution No. 1180 of 1986, by Resolution No. 43 of 1987, by Resolution No.

1009 of 1987, by Resolution No. 715 of 1989, by Resolution Nos. 133, 875, and 1182 of 1990, entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program,' so as to reprogram funds in the Department of Engineering and Construction and City Planning."

Which was read.

Also,

Bill No. 3391

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 1181 effective December 26, 1986, as amended by Resolution No. 198, effective March 13, 1987, Resolution No. 584, effective July 27, 1987, Resolution Nos. 758 and 1065 of 1987, Resolution No. 517 of 1988, Resolution No. 328 of 1989, Resolution Nos. 134 and 1183 of 1990 and by Resolution No. 202 of 1991 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1987 Community Development Block Grant Program,' so as to reprogram funds City Council, Department of Engineering & Construction, and the Department of City Planning."

Which was read.

Also,

Bill No. 3392

A Resolution entitled, "Resolution amending Resolution No. 448 effective June 16, 1988 as amended by Resolution No. 627 effective August 2, 1989, and Resolution Nos. 132 and

1184 of 1990 and Resolution No. 201 of 1991 entitled, 'Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program,' so as to reprogram funds in City Council, Department of Engineering & Construction and Department of City Planning."

Which was read.

Bill No. 3393

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 79, effective March 7, 1989, as amended by Resolution No. 776 of 1989 and by Resolution No. 874 of 1990, entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1989 Community Development Block Grant Program,' so as to delete a line item in City Council and increase a line item in the Department of City Planning."

Which was read.

Also,

Bill No. 3394

A Resolution entitled, "Resolution amending Resolution No. 795, effective August 23, 1985, as amended by Resolution No. 410, effective May 14, 1986 entitled 'Providing for an Agreement or Agreements with the Spring Garden Neighborhood Council and/or the Esplan Citizen's Council for capital assistance improvement programs, in an amount not to exceed \$50,000.00,' so as to reduce the appropriation to \$0.00."

Which was read.

Also,

Bill No. 3395

A Resolution entitled, "Resolution amending Resolution No. 781, effective August 19, 1985, entitled 'Resolution providing for an Agreement or Agreements with Agency or Agencies to provide support to community-based organizations,' so as to reduce the amount appropriated from \$253,000.00 to \$251,201.89 (-\$1,798.11)."

Which was read.

Also,

Bill No. 3396

A Resolution entitled, "Resolution amending Resolution No. 154, effective March 12, 1984 as amended by Resolution No. 1389, effective December 31, 1990, entitled, 'Providing for an Agreement or Agreements with the Lawrenceville Citizens Council, Inc., located on Thirty-Seventh Street in Lawrenceville to provide for general rehabilitation work on the old Saint Augustine's School Building which would be used for various community activities, reducing the encumbered amount from \$35,000.00 to \$18,692.10,' so as to further reduce the amount encumbered from \$18,692.10 to \$4,522.10."

Which was read.

Also,

Bill No. 3397

A Resolution entitled, "Resolution amending Resolution No. 828, effective August 3, 1978 which provided for the Director of Public Works

to award contracts for work at the Phoenix-Hill Shopping Center - Relocation of the Carnegie Library (Wylie Avenue Branch), at a cost not to exceed \$175,282.63,' so as to reduce the amount appropriated from \$175,282.63 to \$174,948.58 (-\$334.05)."

Which was read.

Also,

Bill No. 3398

A Resolution entitled, "Resolution amending Ordinance No. 646, effective November 10, 1976 entitled 'An Ordinance providing for the letting of a contract or contracts for the furnishing and delivery of Automotive Equipment, less trade-ins for the Department of Supplies and for the payment thereof,' so as to reduce the amount appropriated from \$200,000.00 to \$172,315.31."

Which was read.

Also,

Bill No. 3399

A Resolution entitled, "Resolution amending Resolution No. 506, effective June 4, 1979, entitled 'Providing for an Agreement or Agreements with Housing Opportunities, Inc., to provide financial counseling to purchasers of houses in the Homewood-Brushton House Sale, and providing for the payment of the cost thereof,' so as to reduce the amount appropriated from \$25,000.00 to \$23,969.22 (-\$1,030.78)."

Which was read.

Also,

Bill No. 3400

A Resolution entitled, "Resolution amending

Resolution No. 711, effective August 13, 1987 entitled, Resolution amending Resolution No. 675 of 1986 entitled: 'Providing for an agreement or agreements with a consultant or consultants for the purpose of providing architectural and design services, market studies, promotional activities, Main Street commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program increasing funding to include additional projects,' so as to reduce the amount appropriated from \$445,000.00 to \$442,572.26."

Which was read.

Also,

Bill No. 3401

A Resolution entitled, "Resolution amending Resolution No. 685, effective August 29, 1988, entitled 'Providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for professional services in an amount not to exceed \$20,000.00,' and to provide for the 'Repair and Replacement of Sidewalks' in the Spring Garden Neighborhood,' so as to reduce the amount appropriated from \$20,000.00 to \$19,719.69."

Which was read.

Also,

Bill No. 3402

A Resolution entitled, "Resolution amending Resolution No. 231, effective March 6, 1987 entitled 'Resolution providing for an Agreement or Agreements with the Hunger Action Coalition for administrative assistance and operating funds for their Penn Avenue office in an amount not to exceed \$50,000.00,' so as to reduce the amount

appropriated from \$50,000.00 to \$49,374.11."

Which was read.

Also,

Bill No. 3403

A Resolution entitled, "Resolution amending Resolution No. 634, effective August 12, 1988 entitled, 'Providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the implementation of the Home Security Program including Block Watch Organizers, and the installation of locks and smoke detectors in the City, in an amount not to exceed \$280,000.00,' so as to reduce the amount appropriated from \$280,000.00 to \$275,914.60."

Which was read.

Also,

Bill No. 3404

A Resolution entitled, "Resolution amending Resolution No. 302, effective April 13, 1989, entitled 'Providing for an Agreement or Agreements with Garfield YMCA for administrative support in an amount not to exceed \$20,000.00,' so as to reduce the amount appropriated from \$20,000.00 to \$19,836.51."

Which was read.

Also,

Bill No. 3405

A Resolution entitled, "Resolution Repealing Resolution No. 280, effective April 13, 1989, entitled 'Resolution providing for an Agreement or Agreements with the Perry North Senior Center for administrative support in an amount not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 3442

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh ('URA') providing for the transfer of the sum of \$75,000.00 to URA to be used as a grant to Lawrenceville Development Corporation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo:

On Bills 3180 and 3442, I move that these bills become law upon the signature of the Mayor.

Mr. Coyne seconded the motion.

WHICH MOTION PREVAILED.

Mr. Coyne presented

Bill No. 3513

Report of the Committee on General Services for November 20, 1991 transmitting one resolution to Council.

Which was received and filed.

Also, with an affirmative recommendation.

Bill No. 3423

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements between the City, the Urban Redevelopment Authority of Pittsburgh and the Housing Authority of the City of Pittsburgh for the purchase of the John P. Robin Civic Building located at 200 Ross Street, Pittsburgh, PA 15219 and providing for the management and allocation of space therein."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo
Michelle Madoff

Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

Bill No. 3514

Report of the Committee on Water for November 20, 1991 transmitting two resolutions to Council.

Which was received and filed.

Also, with an affirmative recommendation.

Bill No. 3445

A Resolution entitled, "Resolution Repealing Bill No. 3270, Resolution No. _____ passed in Council on November 12, 1991, entitled, 'A Resolution authorizing an Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection of delinquent water charges, fines, penalties and interest due the City of Pittsburgh, as agency for the PITTSBURGH WATER AND SEWER AUTHORITY, at a cost not to exceed \$300,000.00, chargeable to and payable from Code Account 1922, (192203), Miscellaneous Services, Department of Water.'" —(SPONSORED BY MICHELLE MADOFF)

Which was read.

Also,

Bill No. 3446

A Resolution entitled, "Resolution authorizing

an agreement or agreements with a collection an agency or agencies for professional services in connection with the collection of delinquent water charges, fines, penalties and interest due the City of Pittsburgh, as agency for the PITTSBURGH WATER AND SEWER AUTHORITY, at a cost not to exceed \$300,000.00, chargeable to and payable from Code Account 1922, (192203), Miscellaneous Services, Department of Water." —(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

The original bill was repealed and there was a little confusion on that vote, but we repealed that vote. And what was put in its place was something I believe is much more responsible. There are \$14 million approximately outstanding in water bills at the Water Department. It is pretty much a static dollar amount. Some pay and others don't pay and then somebody pays and somebody doesn't pay. It's an ongoing problem.

What I had suggested and recommended to this Council is that we not treat people, different water customers, differently if everybody pays the same amount. But because we have this antiquated system that has been let go from the accounting purposes for so many years that we only turn over to a collection agency any delinquent accounts from 1975 and prior. Starting in 1976, we do it in-house.

I mentioned, and I think its worth repeating, that I did not realize, and I'm sure my colleagues didn't realize and I'm appalled that the Administration didn't know, that a governmental agency can take advantage of the Credit Bureau for \$100 only. \$100 they can join the Credit Bureau. And the Credit Bureau, for \$1.00 a letter,

will send a letter to what we perceive as being delinquent in account over 150 days.

That letter says that you will be listed, no matter where you live, anywhere in the United States, as a bad credit risk on this bill until you make good on the bill. So it prevents a delinquent person from going out and perhaps getting a loan for a car, a mortgage, charge cards and so on, so that they don't decide, "Well, that's one bill I don't really have to pay."

For the \$1.00 fee, whatever dollars that generates we have no other cost. There's no percentage. There's no 5, 3, 2 or 30 percent, so I think we ought to go with that step first of all.

I have already spoken to Bob Wilburn who will introduce legislation I believe at the next meeting but I would like a note going to him reminding him that we expect that to happen.

I have also spoken to Clarence Perkins and to Ben Hayllar who are committed to getting this moving as quickly as possible. But I've seen legislation passed here before, legislation like burglar alarms, and they have been in place but have never been activated.

So, let's make sure that we have a response, Mike, from this Council, that they will indeed, within 30 days, have met with the Credit Bureau and arranged to have the \$100 fee paid - Jim Turner says he thinks he can find \$100 in the budget - and that we would start sending those \$1.00 letters. And I'd like the result of those letters and what kind of response we get.

I think that Clarence Perkins is really trying to make a good faith effort and he's made some substantive changes and I think we have to give everybody a chance to do the job. The unfortunate thing is that the Water Department, every time I get to the point where I'm so frustrated I'm ready to scream from the rafters,

they change directors. Hopefully a letter to Dawn Botsford and to Bob Wilburn will generate the immediate interaction.

I want to assure my colleagues and the public that when a letter is sent to the Credit Bureau and the person responds by saying, "Hey, wait a minute. I don't owe that money. That's somebody else's account or it was read incorrectly", their name does not get listed. It's only after the disputes are resolved.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 3515

Report of the Committee on Engineering and Construction for November 20, 1991 transmitting sundry resolutions to Council.

Which was received and filed.

Also, with an affirmative recommendation.

Bill No. 3366

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction to execute a license agreement with the Consolidated Railroad and The Pittsburgh Water and Sewer Authority in connection with the construction of a sanitary force main and casing pipe."

Which was read.

Also,

Bill No. 3367

A Resolution entitled, "Resolution amending Resolution No. 822, effective October 24, 1989 entitled 'Providing for a License Agreement between the City of Pittsburgh and the United States Department of Army, granting the Army Corp of Engineers a privilege to conduct exploratory drilling in and around the Saw Mill Run Creek in the City of Pittsburgh to facilitate a Local Flood Control Cooperation Agreement,' by extending the time period from twelve months to thirty months."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3368

A Resolution entitled, "Resolution amending Resolution No. 599, effective July 29, 1988, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for the Reconstruction of the Burgwin Playground; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$7,916.45 from \$75,000.00 to \$67,083.55."

Which was read.

Mr. Coyne:

I make the motion to recommit Bill No. 3368 regarding Burgwin Playground.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 3369

A Resolution entitled, "Resolution amending Resolution No. 233, effective March 14, 1991, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for Rehabilitation of

Various Landscape and Turfed Areas; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$5,504.16 from \$175,000.00 to \$180,504.16."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I think we need to share with Council the meeting that we attended the other day with PennDOT. I'm sure that we're all aware that there's some conversation about paving two of our bridges and perhaps closing down -- I think there was a plan in 1994 to close down one of our major bridges to the Airport, the Fort Pitt Bridge.

I think if we don't start planning and

thinking right now, this could be the death nell for Pittsburgh. We will see Pittsburgh at the Airport. There will be a new Pittsburgh. Like Little Washington and real Washington. We'll have Pittsburgh Downtown where you go occasionally to see a play, but the major city will be at the Airport.

It's something that the Administration had better start to plan for and this Council had better start to address yesterday. I think that the minute we get through budget hearings and we get into the new year, we better set up some committees to investigate every and any other alternative.

The Chair:

Thank you. I agree.

Mr. Ferlo:

Mr. President, there seems to be some confusion in the Finance Department on a payment that is required to the towing company, McGann & Chester, who I believe provides the towing for the Police Bureau.

Apparently there's an invoice that was sent down by the Finance Department for the month of October, a little over \$45,000. Unfortunately, there's only \$36,000 in the Tow Pound Trust Fund because I believe the Administration took out \$299,000 to put it back into the General Fund. I frequently talk about the ticket, tag and tow activities of the Police Bureau basically to raise money for the General Fund.

Could we get a clarification because basically this company will not be able to get this check because there's not enough money in the account.

And secondly, as part of that, the Finance Department did try to replenish money in the

account to cover the \$45,000 check but that money was deposited in a different bank, unfortunately, and I'd like to get an understanding of how that could have happened.

The Chair:

Mr. Perry, would you please immediately correspond with the Finance Department to determine if there is an outstanding check and any other circumstances.

Mr. Ferlo:

Hopefully this is not a habit.

Mr. Regan:

I'd like to comment on a couple of things. First of all, the security in Council. Michelle Madoff was the first one to bring this up probably a year and a half ago.

Michelle Madoff:

Four years ago.

Mr. Regan:

Councilwoman Michelle Madoff brought this up four years ago, and then a year and a half ago, and then a year ago, and six months ago, and we have no security yet on this floor. I'm telling you and my colleagues that someone is going to get hurt.

Three or four times in the past couple of weeks, the secretary has been put into a very, I would say, position where she was scared to death by people. One gentleman came down, a rather big guy in size, and just stared at her. She had to go and get help.

I'm saying that if they don't get security, someone is going to get hurt. We have a fine

young police officer here and she's in here. There's nobody out there protecting those people on the Fifth Floor in Council while we're in here.

I just don't think it's fair and I can name you one instance where a District Justice in another county, someone thought her secretary was her and shot her through the door.

I'm saying that this is very serious and it's more serious than people know because once it happens, it's too late. And this thing has been going on for a year and a half or a year or six months. This is a very serious situation and somebody has to protect especially those women out there. I ask the Administration, "Where's the security?"

We've all talked about it time and time again. We had a meeting about it. It was supposed to happen and it's never happened yet. If someone gets hurt, then it's going to be too late and I just wanted to bring that up.

Mr. Cohen:

I just wanted to speak in support of Councilman Regan on this issue. He's absolutely right. I believe we got a commitment about a year ago from the Administration. I think you called a post agenda meeting on it, Baldy, and we were told that it was going to be implemented. It hasn't been implemented and I absolutely agree. There are a lot of hot issues before Council right now and there are some crazy people out there. So, we need to do it.

The Chair:

I agree, Councilman Regan.

Mr. Perry, the Mayor's Office and that side of the Fifth Floor has had a buzzer system put in on the door from the rear, but still, as of this date, it has not been done on the Councilmatic

side, particularly in the rear of the offices.

I don't know if everyone is aware, but there was an incident last evening in the building on the Fifth Floor.

Mr. Perry, I would like that security system, buzzer system, to be installed on that rear door of which is open half the time before the year's end.

Mr. Regan:

Would you like me to put it in the form of a resolution?

The Chair:

I don't believe it's needed, Mr. Regan, but we have some departmental items coming up and I believe that's under the responsibility of Engineering and Construction. There's no reason why the one system should have been installed without the other being installed. So, I would like that installed prior to year's end, as was requested well over a year ago.

Mr. Regan:

And promised less than a year ago.

Mr. Cohen:

Mr. President, if I recall, I believe that there are some other aspects of the system too. I think there was a buzzer that the receptionist could buzz to be able to get an officer quickly. That sort of thing. I think they gave it to us in a memo.

Mr. Regan:

We could have built a nuclear energy plant in the time that we've had to get this ordinary buzzer system put in so that our people

are protected up here.

Mr. Ferlo:

Same issue, Mr. President. As you know, we cannot execute a contract, but there's nothing that would prevent Council from calling up a company, having the service provided, and get a warrant and then pay the bill after the fact. That's what we should do because there's not going to be any movement on this unless we do it ourselves.

The Chair:

If not, we will do it ourselves. But I'm asking again that it be pursued through the appropriate administrative channels.

Mr. Regan:

It's like a minor operation. If somebody else is getting operated on, it's minor. If it's you, it's major.

We have secretaries sitting out there answering those phones that are open to the world. Anything could happen to them in a second's notice. And I just don't think it's fair to those ladies out there that they're not protected. We're in a position to protect them and I don't know why we don't.

The Chair:

Mr. Perry will follow up on it immediately and, if it's not done through Administrative channels, we will do it.

Mr. Regan:

On another issue. I'd like to say that we have an agenda on December 4th, a post agenda meeting regarding the closing of the Downtown fire hall. And I want to thank the Golden Triangle Association for their support and the building

owners' support in Downtown Pittsburgh.

I say that they're the disenfranchised people of the City of Pittsburgh when it comes to an issue like this because they can't rally up any citizens to come there. And I say that a good many of them are suburbanites so, in this particular issue, they're disenfranchised. They eat in the City of Pittsburgh, they park their cars in the City of Pittsburgh, they pay taxes in the City of Pittsburgh, they work in the City of Pittsburgh, and it's just not fair because I'm saying that if a fire happens on a Friday evening in one of those large buildings or hotels in Downtown Pittsburgh and it's raining or snowing, God forbid, I don't know how our fire people are going to get there.

They say that it can be taken care of by the surrounding fire companies, well, I just want to bring up that in Philadelphia there were 3 firemen killed, 100 firemen injured, and the fire station was 7 blocks away. Now, you tell me when an emergency situation like closing the Fort Pitt Tunnels, for example, how are they going to get here if there's a problem?

I said from day one that the \$178,000, I voted against it, I'm proud I voted against it because it wasn't the right thing to do. If you're going to do it, we have enough expertise right here in the City of Pittsburgh that we don't have to send \$178,000 to Canada to tell us how to run our City.

I also want to state that the County Jail, for example, if there's a fire in there, how are we going to evacuate those prisoners? Each prisoner would need a guard with them and we don't have those kinds of numbers to take care of them.

I would also say that, God forbid, if the City County Building would be on fire and my pal, Michelle Madoff's life would be in jeopardy, I would rather have the firemen take care of it than me.

Mr. Ferlo:

I think Councilman Regan is not only Chairman of Public Safety, but obviously on this issue I very clearly state that he is correct. It's no secret that I continue to be in opposition to the closing of No. 1 as well, and I think certainly Baldy is in support of this.

There's still fundamentally a problem with the Mayor's proposed, the new and improved version of the so-called Fire Study which continues to sacrifice the squad, reduce the number of engine companies, while keeping the facade of some of the fire stations open. It's going to mean that people are going to die in fires in the future that in the past would not have died.

Along with the issue that Baldy is raising on No. 1 and that issue, I think that Council needs to get together, a working majority. I have spoken to you, Mr. President, on this issue. I'm certainly going to be working in the coming week to submit amendments to the budget.

I think we should try to create an impasse on the budget until such time that we can come to reconciliation and, if need be, a compromise with the Administration on what exactly the firefighting capabilities and level of firefighters will be in the coming budget year.

As I said at the public hearing, it's not enough for Council to throw up our hands and say, "Well, we can budget but the Administration won't fill the jobs." That's not going to fly this time. I think we have a responsibility. If the majority of the Councilmembers are opposed to the closing of No. 1, if we're opposed to the new and improved version of the Fire Study as pronounced by the Mayor and her Administration a couple of weeks ago, I think we need to create a budget impasse this year and, if need be, I would suggest that we remove a staff

position within the Mayor's Office to create a budget impasse until we can come to the table with the Administration, with the Mayor, and come to a reconciliation.

But reducing the companies to the 40 from the 61, keeping the facade of fire stations open, reducing the aerial trucks in some of the stations, eliminating the squad cars, purchasing of the quints, all that adds up to be a disaster and we should be united in blocking it and united in blocking it in an effective way.

Mr. Regan:

Mr. President, could that post agenda be televised?

The Chair:

We do not televise post agendas.

Mr. Regan:

Could I put a resolution in to have it televised?

The Chair:

Yes, a resolution, I suspect, could be put in, but we have adopted a procedure in years past due to the fact that too many meetings were being televised. If there is a desire to televise a meeting or a hearing, I would strongly recommend that it be done through a public hearing process.

Mr. Ferlo:

On this procedure, Mr. Chairman. Mr. Regan is Chairman of the Public Safety Department. I don't think the Council Rules include, and this is not in any way meant to be disrespectful to Dr. Milliones as Chairman of the Finance Committee who traditionally chairs the Finance Meetings, but in this situation I don't see

within the Council Rules presently, and I'd ask for your ruling on this as President of Council who ultimately can set hearings, I don't see anything wrong with the Finance Chairman and Mr. Regan conducting a Public Safety Committee Meeting on the budget as it relates to the fire reorganization plan which would fall within the guidelines of it being a televised meeting. I would ask for your consideration on that.

The Chair:

The problem with a post agenda is that it's not a formal meeting.

Mr. Ferlo:

I'm not talking about a post agenda. I'm talking about a budget hearing, specifically though, the budget hearing chaired by Mr. Regan, and focusing in on the fire reorganization which is a budgetary consideration. And I would ask for your consideration on that. It would not make it a post agenda; I'm talking about a budget hearing.

The Chair:

It was my understanding that the meeting requested for December 4th was more or less an informal meeting to gather as much information as possible on the Downtown fire house.

If the desire is to have it a public hearing and have people testify on the issue such as the Golden Triangle Association, building owners and managers, I would strongly recommend that we proceed with a different vehicle. Even under the guidelines of the budgetary process, there would be limited public participation in the meeting. Consequently, if you really want public participation, I would suggest a hearing in regard to the issue.

Mr. Ferlo:

Mr. President, on behalf of Mr. Regan who is obviously concerned about the December 4th meeting, with his support I would suggest that we make a motion that it be a formal public hearing and televised, which we have enough time to publicize it.

Mr. Regan seconded the motion.

Michelle Madoff:

Discussion. For many years various Presidents of Council have heard me say that having people come and ventilate may serve a purpose, but frequently we don't accomplish anything.

What happened at the last hearing on the firefighters, let's tell it the way it was. First of all, the Administration gave us the information too late and I think because everybody was here it was an awkward situation for the President of Council to say, "We just got it, we haven't looked at it, so we're not going to have this hearing.", which in retrospect probably should have been what happened.

I have personally gone, and I'm sure my colleagues have gone, to meet with both sides to try to find out the truth. What's the fact and what's the fiction? Is it good or is it bad? Will we have a ladder or won't we have a ladder? What is the time going to be? Should we shut down the station?

We do not want to have the citizens come again and do seven or eight hours - I didn't get home until God knows when - of being frightened because perception is reality. They are frightened and if they're frightened, that is real.

What we need to do is set up a mechanism

in the coming years, perhaps this might be a good time to start --

Mr. Ferlo:

There's a motion on the floor.

Michelle Madoff:

I'm addressing it. I'm on your team.

We need a mechanism where the public gets to hear what the real issue is, and that's why we want to televise it. We want to hear one of the fire fighters say that the quint isn't any good, if that's their position. Or if the Chief says yes it is, and why. And then we ask the questions from Council and we get some substantive answers. We get interaction so that we learn something and we can make an intelligent decision.

I don't think that can happen in the process -- It could happen as a post agenda but, as you know, we won't televise it unless we consider this an extension of the public hearing and unfinished business of the public hearing and we invite those who didn't get heard such as the Golden Triangle.

I personally have pleaded, and you know this to be true, Mr. President, to have dialogue, where we interact and they make a statement, something that's not true, and isn't this the truth. And here's the documentation. How do you respond to that.

I went to a hearing last night, I showed up about 8:30 and stayed until something like 10:00 over on Carson Street about the same issue. When I listen to the firefighters, I believe them. And when I listen to the Administration, I believe them. I don't know what the truth is anymore. And if I don't know, how does the public know? We better get to the bottom of having some meaningful debate, some meaningful interaction.

The Chair:

There is a motion on the floor to make Mr. Regan's post agenda a public hearing on the issue of the Downtown fire house. Am I correctly stating the motion?

Mr. Ferlo:

My understanding is that the December 4th meeting would be not only on the issue of the No. 1 fire house but, indeed, on the issue of the Mayor's proposed reorganization plan as revised from the initial plan.

The second hearing, if we have a public hearing obviously we can't and we shouldn't deny anybody from speaking and signing up, but let's face reality here. Does this second hearing, if we agree to a public hearing, given the initial outcry of citizens generally wanting to impress upon Council and the Mayor the need not to close firehouses? We're past that. Now we're debating the actual merits of this revised plan and whether indeed firefighting capabilities are going to be hampered as I believe.

I think the second hearing, if it is held, will not have to have, nor likely will it have, the large number of speakers generally getting up to say, "Hey, don't close my fire station." I think there will be a few people wanting to speak, including from the rank and file, and I think it would be a proper forum as televised to deal with the issues that Michelle and others have raised regarding what is fact and fiction.

So, I would suggest that we have a public hearing, that the topic be not only the No. 1 closing but indeed the revised reorganization plan.

The Chair:

So you have altered your motion?

Mr. Ferlo:

No, my motion was always that I didn't clearly understand that Mr. Regan was only talking about the No. 1 --

The Chair:

No, it wasn't that. What is your motion?

Mr. Ferlo:

My motion is that we originally scheduled a post agenda that Mr. Regan had scheduled for dealing with the No. 1 issue, the closing of the No. 1, be refocused as a formal televised public hearing on the closing of No. 1 and the Mayor's reorganization plan as amended.

Mr. Regan seconded the motion.

Mr. Cohen:

I think that answers my question. I wanted to hear from Councilman Regan since it is his post agenda whether or he would like it in the form of a public hearing.

The Chair:

Let me clarify something. That day we have budget meetings scheduled one hour after the post agenda begins. We are not changing the schedule of the budget hearings and I am not going to schedule a public hearing that day. That authority still rests within the power of the Council President so that that day would not be an appropriate day.

Let me further state, we still have not had the opportunity to have the Chief of the Fire

Bureau, Chief Dickinson, and Mr. Cannon come to the table during budget time to analyze and discuss the Public Safety Department budget. I would strongly recommend that if we're going to do anything in terms of a motion on the floor for a public hearing, that that would come after our opportunity for that kind of dialogue.

Mr. Ferlo:

I have no objection to that.

Mr. Regan:

I'd like to ask the famous Councilman to amend his bill to be just for the Downtown fire hall only, and then we can take on the other one at our budget hearing, if that meets with his approval.

Mr. Ferlo:

I have no objection. The only problem is that if we only use the traditional budget forum, we're not going to be able to bring various people to the table to discuss the merits of the reorganization. But I'll live with whatever the President suggests.

The Chair:

All of you have the motion on the floor.

Mr. Regan:

I want to make sure that we have the time to hold it on that particular day because the Golden Triangle and the Building Owners Association are coming and I want to make sure -

Mr. Ferlo:

Then I'll modify my motion to make it a public hearing televised on the issue of the

closing of the fire house.

Mr. Regan:

Thank you, Mr. President Pro tem.

The Chair:

The motion on the floor, we are back to the original motion which was to have a public hearing in regards to the closing of the Downtown fire house. That and that only. It will not necessarily be on the same day as the post agenda because we have other meetings scheduled. As long as everyone is aware of that.

Mr. Regan:

It's going to be December 4th, as planned.

The Chair:

We may not be able to do that because we have other meetings scheduled that could interfere with the hearing. You can only do so much during budget time.

Mr. Regan:

I understand.

The Chair:

So, it may not be that day. If this motion passes, that public hearing in regard to the Downtown fire house may have to be scheduled on another day.

Mr. Regan:

I think that we could work it out that we could hold it in that period of time. I don't think that there would be any problem, if it would meet with your approval, Mr. President.

The Chair:

If we can, we can. That's fine.

Mr. Regan:

Okay, because there are some people lined up to come in and testify and it would be a problem for them to rearrange their schedule after being notified.

The Chair:

Mr. Perry and I will look at it immediately, whether or not it's possible.

Mr. Ferlo:

Call the question on the No. 1 closing public hearing.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Ferlo

Michelle Madoff

Mr. Regan

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

The Chair:

We will schedule a hearing and if we can do it that day, we will.

Mr. Regan:

Thank you.

Michelle Madoff:

Mr. President, everything that has been discussed and planned and scheduled is very appropriate, but everybody is missing the big picture. The big picture is that we have never had a mechanism whereby Councilmembers who do represent the public, do their own research, my office has been calling all over the country to find out what other cities are doing, what equipment they're using. We're finding that in some cities they hate the quints and in other cities they love them. Some cities are level, some cities are not. I think we need to have some interaction, not where the Administration goes out to the public and says one thing and nobody can refute it, or where the firefighters go out and say one thing and nobody can refute it. But it is in the same room where we ask the same questions and where they can hear it.

Traditionally, you're absolutely right, Mr. Wagner. It was done at budget hearings. That was the place you brought people to the table and you asked them the questions. The question now is, perhaps we need to send a letter to our Finance Chairman requesting that that which is televised is open as our prerogative, that we as a body, the majority of us, would like that opportunity, that when the Fire Department is up for discussion that we have a chance to ask the questions, get answers and refute some of the things they said -- we understand and what about this -- so that we really find out what is the truth as best we can.

Mr. Cohen:

Mr. President, I'm not sure I understand exactly what Michelle is asking for. You're saying at the budget hearings? Or are you talking about public hearings?

Michelle Madoff:

No, budget hearings.

Mr. Cohen:

At budget hearings we have every opportunity to ask the department directors questions.

Michelle Madoff:

Yes, but the problem is that we're hearing only one side of the same question.

Mr. Ferlo:

Call other people to the table.

Michelle Madoff:

I don't think we're allowed to bring the firefighters to the table.

Mr. Ferlo:

We have called them to the table in the past. Yes.

Michelle Madoff:

Well, I would like to have a letter from Council, headed by the President of this Council, asking that we have some latitude at that particular hearing so that we really don't brush it over quickly. That we have a chance to interact in an effective manner.

Mr. Cohen:

That question is really up to us as a Council, is it not, Mr. President?

Michelle Madoff:

Not if the Chairman rules you out of order.

The Chair:

A budget hearing is specifically for budgetary purposes and Council cannot and should not get involved in management issues if it becomes a debate between a labor union and management. And I would not want to see that happen and would oppose that at budget time.

I think every Councilmember here has their thoughts on the reorganization of the Fire Bureau and will vocalize those thoughts at the appropriate time during the budget.

Michelle Madoff:

When is the appropriate time? That's what I'm asking.

The Chair:

There are several times. It can be when the Fire Bureau and the Public Safety Department is in front of Council or it can be in the general discussion that Council has, which are two separate meetings on the budget in total.

Mr. Ferlo:

And at the time that we amend the budget, Mr. Chairman.

The Chair:

You're right.

So, there are numerous times for discussion and I would simply recommend to all Councilmembers, that whatever your concerns are, to research them and pursue them and discuss them at the appropriate time.

Michelle Madoff:

That's what we're doing, and I get different answers from both sides. Each one says that the other one is a liar.

Mr. Ferlo:

On this point, for Michelle's benefit, even the Mayor's own study, which she wasted \$178,000 on, says keep the squads and never talked about this issue of the quint. That's new and improved and God knows where they got that from.

The Chair:

That will come up, I'm sure.

Michelle Madoff:

It's after the fact and they're already ordered.

Mr. Coyne moved to approve the Minutes of Tuesday, November 19, 1991.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, December 3, 1991

No. 47

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, December 3, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 3594 WHEREAS, Reverend Otis Carswell has distinguished himself as a man of God dedicated to the spiritual uplift and enrichment of the saints; and

WHEREAS, Reverend Otis Carswell is currently the host of the Gospel Inspiration Radio Program airing Monday through Saturday on WPIT-FM from 6:00 p.m. until 9:00 p.m. nightly; and

WHEREAS, Reverend Otis Carswell has afforded his listening audience a gospel array of music including hymns, classics, gospels, spirituals, quartet and contemporary sounds; and

WHEREAS, Reverent Otis Carswell continues to cover all expenses incurred by the radio program out of his personal resources so that the gospel in song may go forth; and

WHEREAS, Reverend Otis Carswell is planting many seeds of righteousness that will bring forth a harvest in due season; and

WHEREAS, eyes have not seen and ears have not heard the good things that God has in store for Reverend Otis Carswell because he loves him.

NOW, THEREFORE, BE IT
RESOLVED, that the Council of the City of

Pittsburgh hereby proclaims Saturday, December 7, 1991 as "Gospel Inspiration Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 3595 WHEREAS, the Middle Passage Commemoration will be held for the first time in the City of Pittsburgh on Saturday, November 30, 1991 from 4:00 p.m. until 6:00 p.m. at the Downtown Gallery of the Manchester Craftsmen's Guild in the First & Market Street Building; and

WHEREAS, the Middle Passage Commemoration will be held in an environment of quilts created by members of the African American Heritage Quilters Guild; and

WHEREAS, the Middle Passage Commemoration offers an opportunity to honor the ancestors of Black Americans who were brought from Africa into slavery in the Western Hemisphere; and

WHEREAS, the Middle Passage Commemoration also offers an opportunity to use the historic implications of the Middle Passage as building blocks for a stronger society; and

WHEREAS, the Middle Passage Commemoration was the idea of Sandra Gould-Ford and is sponsored by Shooting Star Productions, Inc., a non-profit organization that exists to use the arts to build awareness and appreciation for Black culture.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Saturday, November 30, 1991 as "Middle Passage Commemoration Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 3518 Resolution providing for the issuance of a warrant in favor of Tedesco and Son, Inc. in the amount of \$32,497.50 in partial payment of an Emergency Contract for remedial work to correct hazardous conditions on McArde Roadway, located in the 18th and 19th Wards, 2nd Council District, payable from Code Account EC 89-26, Miscellaneous Repairs to Streets and Structures.

Also,

No. 3519 Resolution providing for the issuance of a warrant in favor of Reach All, Inc. in the amount of \$1,609.94 in payment of training for the newly hired Bridge Inspection Vehicle Operator, payable from Code Account EC 91-57.

Which were read and referred to the Committee on Finance.

Also,

No. 3520 Resolution Repealing Resolution No. 258, eff. March 23, 1987, entitled "Providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the Replacement of the Western Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation, at a cost

not to exceed \$50,000.00, chargeable to and payable from Code Account EC 86-19."

Also,

No. 3521 Resolution Repealing Resolution No. 687, eff. August 29, 1988, entitled "Providing for an Agreement or Agreements, with a Consultant or Consultants for Design Services in connection with the Reconstruction of the South Highland Avenue Bridge, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 88-13."

Also,

No. 3522 Resolution Repealing Resolution No. 261, eff. March 23, 1987, entitled "Providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the Rehabilitation of the North Avenue and Brighton Road Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation, at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account EC 87-07."

Also,

No. 3523 Resolution Repealing Resolution No. 248, eff. March 20, 1987, entitled "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Design of the South Millvale Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation, at a cost not to exceed \$70,000.00, chargeable to and payable from EC 86-22."

Also,

No. 3524 Resolution Repealing Resolution No. 259, eff. March 23, 1987, entitled "Providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the P.J. McArdle Viaducts No. 1 and No. 2 Rehabilitation; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation, at a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC 86-18 and EC 86-20."

Also,

No. 3525 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the purchase and installation of Street Trees in Various Community Development Areas, at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account CDEC 91-143.

Also,

No. 3526 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Renovation of Arlington Playground, at a cost not to exceed \$100,000.00 or more, but less than \$310,000.00.

Also,

No. 3527 Resolution providing for a one-time deviation from the normal bidding process by advertising for qualifications of potential bidders for the Computerized Traffic Responsive Traffic Control System project; and further providing for the employment of a two-step process in the solicitation of bids and the awarding of the contract.

Also,

No. 3528 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Dept. of Community Affairs, for a grant in connection with the Rehabilitation of Arsenal Park Project; providing for the execution of a Grant contract and for the filing of requisitions and other data; approving the Renovation, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash.

Also,

No. 3529 Resolution further amending Resolution No. 1415, eff. January 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program; and approving the 1991 through 1996 Capital Improvement Program," by creating a new line item (EC 91-567) Beechwood Boulevard Bridge (Greenfield Bridge).

Also,

No. 3530 Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for design services in connection with repairs to the Beechwood Boulevard Bridge (Greenfield Bridge) over the Parkway East, at a cost range of \$100,000.00 or more, but not less than \$150,000.00, chargeable to and payable from Code Account EC 91-567.

Also,

No. 3531 Resolution further amending Resolution No. 1415, eff. January 1, 1991, as amended, entitled "Adopting and approving the 1991 Capital Budget and the 1991 CDBG Program; and approving the 1991 through 1996

Capital Improvement Program," by transferring PW 91-497, Grant Street Maintenance Program and PW 91-462, Ornamental Fence Repair Program, Dept. of Public Works to EC 91-497 Grant Street Maintenance Program and EC 91-462, Ornamental Fence Repair Program, Dept. of Engineering and Construction.

Also,

No. 3532 Resolution further amending Resolution No. 1061, eff. January 1, 1990, as amended, entitled "Resolution adopting and approving the 1990 Capital Budget and the 1990 CDBG Program; and approving the 1990 through 1985 Capital Improvement Program, by transferring PW 90-462, Ornamental Fence Repair Program, from the Department of Public Works to EC 90-462, Ornamental Fence Repair Program, Dept. of Engineering and Construction.

Also,

No. 3533 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the Renovation and Repair of Ornamental Fences at various locations within the City of Pittsburgh at a cost not to exceed \$125,000.00.

Also,

No. 3534 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the maintenance of the brick street surface on Grant Street at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account EC 91-497.

Also,

No. 3535 Resolution providing for a Cooperation Agreement or Agreements with the Board of Public Education of the School District of Pittsburgh for reimbursement of their share of

costs incurred during the Renovation of the Baxter Playground. Any reimbursement received from the Board of Education of the School District of Pittsburgh, shall be deposited in the Baxter Playground Trust Fund.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 3536 Resolution amending Resolution No. 1043, effective November 25, 1991, entitled, "A Resolution authorizing the Director of Finance to issue and the City Controller to countersign a warrant in favor of vested employees for the payment of unused sick time" by defining "eligible" as employees who have been employed by the City of Pittsburgh for not less than eight (8) years. ---**(SPONSORED BY MR. COYNE)**

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricclardi seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 3537 Resolution providing for the transfer of funds totalling \$50,000.00 from Code Account 1166, Salaries and Wages, Regular Employees, to Code Account 1167, Salaries, Regular Employees, all accounts within the Department of Environmental Services. This transfer is necessary to continue to pay for Salaries, Regular Employees until the end of the

year.

Also,

No. 3538 Resolution providing for the transfer of funds totalling \$20,000.00 from Code Account 1169, Wages, Regular Employees, Sick Leave, to Code Account 1160-1, Salaries, Regular Employees, all accounts within the Department of Environmental Services. This transfer is necessary to continue to pay for Salaries, Regular Employees until the end of the year.

Which were read and referred to the Committee on Finance.

Also,

No. 3539 Resolution granting unto Alexanders Restaurant, Alexander F. Colaizzi, owner at 5104 Liberty Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the sidewalk on Liberty Avenue in the 8th Ward, Council District No. 8, City of Pittsburgh. A check for \$125.00 has been presented to cover the cost of advertising this resolution.

Also,

No. 3540 Resolution granting unto Mark Cardamone-Rayner, 51 S. 12th Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an extension to his sidewalk cafe on a portion of the sidewalk of Diamond Square and S. 12th Street in the 17th Ward, Council District #3, City of Pittsburgh. A check for \$125.00 has been presented to cover the cost of advertising this resolution.

Which were read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 3541 Resolution granting unto John A. Aurila, 2207 Sarah Street and Mary G. Capozzoli, 107 S. 21st Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a deck over a portion of the paper street known as Saint Michael Street in the 17th Ward, 3rd District, City of Pittsburgh. This request is made by John Aurila and Mary Capossoli because the deck extends over the right-of-way.

Also,

No. 3542 Resolution granting unto Eleanor Batory, 3943 Oakdale Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a portion of the right-of-way of Oakdale Street to construct a driveway to her side yard and for the existing steps in the 26th Ward, 12th District, City of Pittsburgh.

Also,

No. 3543 Resolution vacating a portion of Blackberry Way, beginning at a point on Southwest corner of lots 70 and 71 in S. Duff Plan of Lots P.B.V. 4, Page 239, in from Forty-Seventh Street a distance of 103.46 ft. thence eastwardly 20 ft. to a point, thence northwardly 140 ft. to a point thence westwardly 20 ft. to a point, thence southwardly 140 ft. to place of

beginning, in the 9th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 3544 Resolution providing for an Agreement or Agreements with the West End Elliott Joint Project for administrative assistance at a cost not to exceed \$8,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "West End Elliott Joint Project".

Also,

No. 3545 Resolution providing for an Agreement or Agreements with the South Side Local Development Council for administrative support in their development and revitalization programs at a cost not to exceed \$5,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "South Side Local Development Council".

Also,

No. 3546 Resolution providing for an Agreement or Agreements with the Pittsburgh Community Reinvestment Group for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning.

Also,

No. 3547 Resolution providing for an Agreement or Agreements with Ozanam Cultural Center to provide administrative/operating assistance with their services for Latch-Key Children in an amount not to exceed \$5,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Ozanam Cultural

Center".

Also,

No. 3548 Resolution providing for an Agreement or Agreements with Lawrenceville Business Association for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$11,112.00, chargeable to and payable from the 1991 CDBG Program, City Council, "Lawrenceville Business Association".

Also,

No. 3549 Resolution providing for an Agreement or Agreements with the South Pittsburgh Economic Revitalization Team (SPERT) for administrative support in an amount not to exceed \$3,000.00, chargeable to and payable from the 1991 CDBG Program, City Council, "SPERT".

Also,

No. 3550 Resolution amending Res. No. 152, eff. March 8, 1991, entitled "Providing for an Agreement or Agreements with Lawrenceville Business Association for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$1,000.00," so as to increase the amount appropriated from \$1,000.00 to \$1,500.00, chargeable to and payable from Code Account No. 1103, Misc. Services, Dept. of City Planning.

Also,

No. 3551 Resolution amending Res. No. 467, eff. May 30, 1991, entitled "Resolution providing for an Agreement or Agreements with Persad, Inc., an organization that provides counseling and information for AIDS related victims in an amount not to exceed \$32,000.00",

so as to increase the amount appropriated from \$32,000.00 to \$35,000.00, chargeable to and payable from the 1991 CDBG Program, Dept. of City Planning.

Also,

No. 3552 Resolution amending Res. No. 486, eff. May 30, 1991, entitled "Resolution providing for an Agreement or Agreements with the Esplen Senior Citizens Association for operating assistance in running their Food Bank Project, at a cost not to exceed \$5,000.00", so as to increase the amount appropriated from \$5,000.00 to \$7,119.00, chargeable to and payable from the 1991 CDBG Program, City Council, Esplen Senior Citizens Association.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 3553 Resolution authorizing the URA of Pgh. to submit an application to the Pennsylvania Department of Community Affairs for the designation of the Hazelwood/Hays and a portion of the South Oakland Area in which the Pittsburgh Technology Center is located as an Enterprise Zone. If the application is approved, the Authority will receive a planning grant to be used to determine the best strategies for stimulating economic growth in the area.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 3554 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and J.G. Van Valkenburgh for the sale of Parcel 2 in the 15th Ward of the City of Pittsburgh in Redevelopment Area No. 40, for the sum of \$16,000.00. The redeveloper plans to construct a 7,000 square foot commercial building on this parcel which is located at 4901-4909 Second Avenue. The parcel contains approx. 13,000 square feet. The redeveloper has constructed five similar stores in the past year in different states for the proposed tenant, Family Dollar Stores. The redeveloper's address is 163 Lakeshore Drive, Holland, Michigan. (Council District No. 5).

Also,

No. 3555 Resolution approving execution of a Contract or Disposition of Land by and between the URA of Pgh. and Rodney J. and Vickie Eichhorn for the sale of Parcels 141, 140 and 139 in the 21st Ward of the City of Pgh. in Redevelopment Area No. 27, for the sum of \$4,900.00. The redevelopers plan to rehabilitate the existing structure on Parcel 141 which is located at 1402 Chateau Street and to use Parcels 140 and 139 which are located at 1404-1408 Chateau Street for parking. The parcels contain a total of approx. 8,300 square feet. The redevelopers will lease the resulting office space to several tenants including their own firm, Ad-Mark Communications, Inc. (Council District No. 6).

Also,

No. 3556 Resolution approving execution of Contracts for Disposition of Land by and between the URA of Pgh. and various

Redevelopers for the sale of properties in the City of Pittsburgh.

These properties will be sold to the Redevelopers to use as a sideyard or rear yard. These properties have been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 3557 Resolution authorizing the URA of Pgh. to condemn and acquire that property in the 10th Ward of the City of Pgh. owned by Vernon L. Boozer, and designated as Block and Lot 50K-124 (5113 Broad Street) in the Deed Registry Office of Allegheny County, for the fair market value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This property will be sold to the Bloomfield-Garfield Corporation as part of a site assemblage for construction of a single family detached dwelling. (Council District No. 7).

Also,

No. 3558 Resolution authorizing the URA of Pgh. to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned properties in the City of Pgh. for the fair market value, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. These properties are being acquired for resale to the Bloomfield-Garfield Corporation, a non-profit corporation, as part of a site assemblage for construction of a single family detached dwelling. (Council District No. 7).

Also,

No. 3559 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Bloomfield-Garfield Corporation for the sale of Block 50K Lots 124, 125, 126 and 127 for the sum of \$1,000.00, in the 10th Ward of the City of Pittsburgh. These properties will be sold to Bloomfield-Garfield Corp. to complete their site assemblage for construction of a single family detached dwelling. These properties are located at 5113 - 5119 Broad Street and contain approx. 7,840 sq. ft. The redeveloper is a non-profit corporation located at 5149 Penn Avenue, Pgh., PA 15224. The officers are David M. Pahnos, President; Gregory Heisler, Vice President; James Maloney, Treasurer; and Roxanne Thomas, Secretary. These properties have been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 3560 Resolution authorizing the Director of Parks and Recreation to create a program providing for the removal and replacement of City trees. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 3561 Resolution authorizing and directing the Chief of the Bureau of Building Inspection to provide a ninety (90) day Warning Period prior to any notice of sidewalk violation. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on

Public Safety.

Mr. Milliones presented

No. 3562 Resolution providing for the issuance of a warrant in favor of Pamela A. Smoot, 1838 Arcena Street, Pittsburgh, PA 15219, in the amount of \$5,666.66, in payment for professional consulting services rendered to Councilman Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 6, City Council. ---**(SPONSORED BY MR. MILLIONES)**

Also,

No. 3563 Resolution providing for the issuance of a warrant in favor of Arthur I. Young, 3134 Terrace Street, Pittsburgh, PA 15213, in the amount of \$3,000.00, in payment for professional consulting services rendered to Councilman Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 6, City Council. ---**(SPONSORED BY MR. MILLIONES)**

Also,

No. 3564 Resolution providing for the issuance of a warrant in favor of Mark C. Southers, 3406 Webster Avenue, Pittsburgh, PA 15219, in the amount of \$2,500.00, in payment for professional consulting services rendered to Councilman Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 6, City Council. ---**(SPONSORED BY MR. MILLIONES)**

Also,

No. 3565 Resolution providing for the issuance of a warrant in favor of Salim Howze,

152 Reed Roberts, Pittsburgh, PA 15219, in the amount of \$75.00, in payment for professional consulting services rendered to Councilman Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 6, City Council.

---(SPONSORED BY MR. MILLIONES)

Which were severally read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 3566 Resolution providing for the issuance of a \$787.50 warrant in favor of Efigina Rhodes in settlement of claim for sidewalk damage at 2734 Graham Boulevard, caused by City tree roots, payable from Code Account No. 46, Judgments.

Also,

No. 3567 Resolution providing for the issuance of a warrant in the sum of \$45,000.00 to Jonathan Ramsey, c/o John P. Gismondi, Esq., his attorney, Gismondi & Margolis, 606 Grant Building, Pgh., PA 15219 in full and final settlement of alleged injuries sustained as a result of a City police dog bite in Point State Park on or about September 8, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 3568 Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1992.

Also,

No. 3569 Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1992.

Also,

No. 3570 Resolution adopting and approving the 1992 Capital Budget and 1992 Community Development Block Grant Program and approving the 1992 through 1997 Capital Improvement Program.

Also,

No. 3571 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, by changing the Rate of Interest on certain delinquent Earned Income and Home Rule Taxes.

Also,

No. 3572 Resolution amending Res. No. 1008 of 1991, recorded November 7, 1991, entitled "Authorizing the Mayor and the Director of Finance to execute a Cooperation Agreement with the County of Allegheny and the Public Auditorium Authority of Pittsburgh and Allegheny County to provide for uses and procedures for the distribution of Hotel Tax Revenues collected by Allegheny County for payment of debt service," by eliminating the limitation of uses.

Also,

No. 3573 Resolution providing for an Agreement or Agreements for Stenographic Reporting Services in connection with Public Hearing(s), at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1035, Misc. Services, Commission on Human Relations.

Also,

No. 3574 Resolution providing for an Agreement with Curtis M. Kennedy which grants a license for a single family dwelling access driveway across public property in the 19th Ward, being part of the Duquesne Heights Greenway, Block 5 B, Lots 91, 94, 95 and 96 for the sum of One (\$1.00) Dollar.

Also,

No. 3575 Resolution providing for the conveyance of certain property in the 5th Ward, City of Pittsburgh, designated as part of Block 10F, Lot 198, to Macedonia Baptist Church, for the sum of \$2,000.00.

Also,

No. 3576 Resolution providing for the filing of a petition or petitions for the sale of certain property in various Wards of the City of Pgh., acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 3577 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pgh., acquired at tax sales in accordance with Act no. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 3578 Resolution providing for the issuance of a warrant in favor of Community College of Allegheny County, 800 Allegheny Avenue, Pittsburgh, PA 15212 in the amount of \$3,822.00 in payment for a First Responder Course attended by Firefighters in the summer of 1991, chargeable to and payable from Code Account 1462, Misc. Services, Bureau of Fire, Dept. of Public Safety.

Also,

No. 3579 Resolution providing for the issuance of a warrant in favor of the Municipality of Bethel Park, Municipal Building, 5100 W. Liberty Avenue, Bethel Park, PA 15102 in the amount of \$2,717.00 which represents a percent of wages paid to our recent police recruit, who received his State Certification to become a Police Officer through Bethel Park and was hired by the City of Pittsburgh within two years of Certification, chargeable to and payable from Code Account 1401, Misc. Services, Bureau of Administration, Dept. of Public Safety.

Also,

No. 3580 Resolution transferring the aggregate amount of \$350,000.00, \$100,000.00 from Code Account 1, Interest on Bonds and Notes; \$200,000.00 from Code Account 1978, Chemicals Water Department; \$50,000.00 from Code Account 1922 Misc. Services, Water Department, to Code Account 1443-4, Police Premium, Department of Public Safety. This transfer is necessary to cover payroll for the remainder of 1991.

Also,

No. 3581 Resolution transferring the amount of \$5,000.00 from Code Account 1405, Equipment, to Code Account 1400-1,

Administration Premium Pay, Department of Public Safety. This transfer is necessary to cover payroll for the remainder of 1991.

Also,

No. 3582 Resolution transferring \$20,000.00 from Code Account 1405, Equipment, to 1401, Misc. Services, Department of Public Safety.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3583 An Ordinance supplementing the Pittsburgh Code, Title Seven, Business Licensing, Article VII, Service Businesses, by adding Chapter 767, "Two Trucks".

Also,

No. 3584 An Ordinance supplementing and amending the Pittsburgh Code, Title Five, Traffic, Article VII, Parking, Chapter 541 General Parking Regulations by adding Section 541.06 "Vehicles Obstructing Traffic".

Which were read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 3585 Resolution authorizing the Director of the Dept. of Parks and Recreation to increase certain admission fees at the Phipps Conservatory, effective January 1, 1992.

Also,

No. 3586 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into agreements in individual amount of \$10,000.00 or less with

various performers, instructors, artists and other persons with specialized skills in connection with the Department's various recreational and instructional programs.

Which were read and referred to the Committee on Parks and Recreation.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3587

Report of the Committee on Finance for November 27, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3447

A Resolution entitled, "Resolution amending Resolution No. 934, approved October 8, 1991, effective October 18, 1991, entitled 'Providing for the issuance of a warrant in favor of U.S. Nuclear Regulatory Commission, License Fee & Debt Collection Branch, P.O. Box 954514, St. Louis, MO 63195-4514 in the amount of \$1,500.00 in payment for license fees furnished for the benefit of the City in connection with radio active material used in the gas chromatograph and providing for the payment thereof,' by correcting the code account."

Which was read.

Also,

Bill No. 3448

A Resolution entitled, "Resolution providing for

the transfer of funds totalling Twelve Thousand Eight Hundred (\$12,800) from Code Account 1922, Index Code 192203, Miscellaneous Services, Department of Water to Office Code Account 1043, Index Code 104307, Miscellaneous Services, City Information Systems."

Which was read.

Also,

Bill No. 3449

A Resolution entitled, "Resolution providing for the transfer of funds totalling \$363,842.00 from Code Account 1922, Index Code 192203, Miscellaneous Services, Department of Water to Code Account 1154-1, Index Code 115410, Rental of Motorized Equipment, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Also,

Bill No. 3450

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$80,500.00 to Geraldine L. Engram, Administratrix of the Estate of Alex Engram, Deceased and Geraldine L. Engram, in her own right v. City of Pittsburgh, Ken May and Marty Howard in full settlement of a wrongful death action, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3451

A Resolution entitled, "Resolution providing for the issuance of a \$1,950.00 warrant in favor of Herman D. & Grace N. Milby in settlement of claim for automobile damage."

Which was read.

Also,

Bill No. 3452

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Howard Hanna Real Estate, Appraisal Division in the amount of One Thousand Dollars (\$1,000.00) in payment for an appraisal of property in the 8th Ward, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3453

A Resolution entitled, "Resolution further amending Resolution No. 319, effective April 13, 1989, as amended by Resolution No. 1072, effective October 25, 1990, and further amended by Resolution No. 1339 effective December 31, 1990, entitled 'Resolution providing for an Agreement or Agreements with a qualified Management Consulting Firm for professional services in the development of an indirect cost allocation plan for the City of Pittsburgh and providing for the payment of the cost thereof not to exceed thirty-six thousand six hundred thirty-three dollars and 34 cents (\$36,633.34), chargeable to and payable from Code Account 1017, Miscellaneous Services, Index Code 101709, Mayor's Office,' by increasing the authorized amount from \$36,633.34 to \$53,266.67."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3454

A Resolution entitled, "Resolution authorizing the close-out of the Controller's Financial Management Information System Trust Fund and transferring the balance to the Sinking Fund of the City of Pittsburgh."

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward.

Michelle Madoff:

If I made any remarks, I'd like them brought forward.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S AND MICHELLE MADOFF'S COMMENTS ON BILL NO. 3454, WEDNESDAY, NOVEMBER 27, 1991)

Mr. Ferlo:

Director, I think you would agree that legally and legislatively it's Council's decision to ultimately decide what's going to happen with these funds in the trust fund regardless of where the moneys came from.

Dir. Hayllar:

That could be a point of dispute. I think that the Finance Department has the ability to terminate funds. Clearly since there wasn't cooperation or there was some concern on the Controller's part, we are now taking the matter to Council to determine how Council wants to handle it. Clearly I think we would agree that Council does have that authority.

Mr. Ferlo:

Clearly we have the authority but you're asking Council to agree with your judgment that these funds are dormant or whatever you want to call it and that they would be better used as money in the Sinking Fund or whatever it is that you're proposing. That's what you're here for.

Dir. Hayllar:

That's correct.

Mr. Ferlo:

So the basic issue to me rather than getting into a big argument about this, is why is this fund inactive and what is the intention of the Controller's Office relative to these funds? I mean, I've already stated my opinion generally by trust funds. I think they should be returned to the General Fund unless they are segregated out for some reason relative to requirements of the federal government and of the sort. The issue here is, is there indeed expenditures planned by the Controller's Office relative to the problem of Famous and whatever the computer capabilities are and to that extent that's my question.

Dir. Hayllar:

That information has not been provided to us. I will point out that a lack of activity since 1989 is a significant period of time for money to remain dormant. Certainly if there is a need for additional money to assist in correcting or working with the accounting system, the Controller does have the code accounts for that in the operating budget and secondly, we would

be very happy to assist in that because we recognize the deficiencies of the system.

Mr. Ferlo:

To me, what is the issue relative to how that money is going to be used in the Controller's Office and whether or not we're in agreement. So my question is to the Controller. What is the Controller's Office intent relative to these funds? Secondly, I don't think Dr. Hayllar is entirely accurate about other funds available and other code accounts in the Controller's Office for computer update.

Dir. Hayllar:

I am. It's Code Account 1051-7. There's \$54,000.00 in it.

Mr. Ferlo:

It's 1051-7?

Dir. Hayllar:

Yes, that's the Code Account for computer maintenance.

Mr. Coyne:

How much is in there?

Dir. Hayllar:

The 1991 authorization was \$54,000.00. I think there's a larger sum for the 1992 section.

Mr. Ferlo:

Mr. Flaherty, do you have a response to my question?

Mr. Flaherty:

Yes. What we have prepared for each member if you would care to pass those around, is a breakdown since 1984 as far as expenditures from this trust fund and as you can see, the office has expended in excess of \$600,000.00 strictly on the information systems of the City Controller's Office. We have significant funding needs in the near future. In fact, I have the Manager of our Information Systems and she will be able to pinpoint exactly what our needs in the Controller's Office are and what the probable costs will be.

It's my understanding that these funds came strictly from an out-of-court award solely to the City Controller's Office in 1983.

There was a lawsuit and these funds were awarded in that out-of-court settlement strictly for the operation of the information systems in the City Controller's Office.

As far as the request from the Administration I believe on October 7th, I wouldn't characterize it as a request. It was a very curt charge that the Controller's Office simply liquidate this trust fund. Now the Director of Finance has the obligation and the power to transfer funds around with the consent of City Council in areas that are solely under the purview of the Mayor's Office. We feel very strongly that the Director of Finance cannot unilaterally, and that's what that directive was of October 7th, tell the Controller of the City of Pittsburgh to liquidate a trust fund in which has been vital to the operations of the information system in that office, a trust fund which expended \$600,000.00 in the last six years and the trust fund that is going to be essential for the viability of the entire information system in the Controller's Office which is very relevant.

Mr. Ferlo:

Specifically to my other question. What is the intent of the Controller's Office relative to what you intend to using these moneys for and when? If we have a plan I'd like to know what is it that you are using these moneys for?

Mr. Flaherty:

As I said earlier, I have Ms. Brown who is the Manager of the Information System and --

Mr. Ferlo:

-- I have no objection to Lois or anybody answering the question. I want to know what it's for.

Michelle Madoff:

-- I have an objection. I would object to her coming to the table.

Mr. Flaherty:

If I may confer with her --

Michelle Madoff:

-- I object.

Mr. Flaherty:

You can't object.

Michelle Madoff:

Yes, I can.

The Chair:

Point of order. Are there any more questions?

Mr. Ferlo:

Excuse me, Mr. Chairman, I have the floor. I'm trying to --

The Chair:

-- Mr. Flaherty said that in order to answer your question he has to confer.

Mr. Ferlo:

There's a seat right here.

Michelle Madoff:

And I said I object to her coming to the table.

Mr. Ferlo:

Why not?

Michelle Madoff:

Because I don't want her at the table. I've had people that I've wanted to come to the table, I was ruled out of order. I think Mr. Flaherty can answer it.

Mr. Coyne:

If I can ask for clarification. I believe that Council an object to someone that doesn't work for the City, a non-employee coming to the table. But I don't believe that we can object to someone who is an employee.

The Chair:

I thought that it had to be a Director.

Mr. Coyne:

No. The people that we've objected to in the past have been people who have not been employed by the City. I think this is a spokesman for the department and she should be allowed to come to the table.

Michelle Madoff:

And I feel that Mr. Flaherty should know the answer.

Mr. Wagner:

If I may clarify, Mr. Chairman.

The Chair:

Is it alright if the Chairman makes a statement?

I could be incorrect but since I've been sitting here it's been just Directors who have come to the table; is that right?

Mr. Ferlo:

That's not correct at all.

The Chair:

Mr. President, are you in any position to clarify this situation?

Mr. Wagner:

The rule is that Council can object to anyone coming to the table including directors. Any single Councilmember can do that, however, there has been a courtesy in the past to permit anyone that's a city employee to come to the table.

Mr. Ferlo:

Point of practicality. In the three years that I've been here Mr. Chairman, it is frequently the case that the Director is not available and other staff people including the young lady who is here today to speak to finance has frequently come to the table. We've never objected to that. We've only ever incurred that rule where we objected to authority representatives or non-profit groups or anybody else. I just want an answer to my question. If the Controller's Office has a good reason why they want these funds I'll be sympathetic. If not, the money should go back from the General Fund into the Sinking Fund. That's what I'm trying to determine here.

If we're going to object to Ms. Brown coming to the table then I'm going to object to anybody else who's not a director to coming to the table.

The Chair.

We are not going to spend one hour talking about this bill.

Mr. Ricciardi:

Can we have a ruling from the Chair concerning this?

The Chair:

Mr. Flaherty, can you answer the question?

Mr. Flaherty:

I can answer it very explicitly if I have about 40 seconds to confer with Ms. Brown.

Mr. Ricciardi:

Has the ruling been that Ms. Brown cannot come to the table?

The Chair:

That's correct, that is the ruling. Are there other questions of Mr. Hayllar?

Mr. Ferlo:

I'm objecting to everybody that comes to this table.

Mr. Ricciardi:

Mr. Milliones, in order to have good communication between all of the departments, I'd like to challenge the Chairman on that and call it to a vote. I would like to see Ms. Brown come to the table.

The Chair:

You may challenge the Chairman.

Mr. Ferlo:

This is just for the purpose of moving the meeting ahead.

Roll Call

Michelle Madoff:

I'll withdraw my objection with one caveat. That perhaps the next time the Controller comes to the table he knows that he has the information himself. He is the Director and he should know that. If he doesn't know what's going on in his own department with \$2 million, we have a problem.

Mr. Ferlo:

I have a question of Miss Lois Brown who is an executive within the Controller's Office. She's been in city government for over 25 years and should know something about the operations of the computer system.

My question to Mr. Flaherty and whoever can answer it is basically what is the Controller's Office intent and need relative to the expenditure of these dollars and when do you expect to expend these dollars? What's it for and when do you plan on using it?

Ms. Brown:

It was my understanding that the money that remained in this trust fund was to be used for a new system. There was a task force set up which I believe Mr. Hayllar was a part of and there was a number of Council who was a part of where we were to issue an RFP. We have written that up but the meetings evidently were suspended. Now I wasn't a member of the task force but I was on the working committee. And as far as the funding goes, I understand that Mr. Hayllar had agreed that there would be funding available for the new system and that the money to this trust fund was also to help cover the costs of the new system.

Mr. Ferlo:

I assume you mean the overall City's financial system.

Ms. Brown:

Right.

Mr. Ferlo:

And these funds were dedicated at some point in the future to assist in that RFP that you're speaking of.

Ms. Brown:

Yes, and for upgrading any equipment that we have now.

Mr. Ferlo:

Thank you.

Mr. Cohen:

Ms. Brown, I want to get a little bit more specific. If you have this money, how do plan to spend it?

Ms. Brown:

On upgrading either existing equipment or else on a new system. It was my understanding that it was to be used to help cover the cost of whatever comprehensive system that we came up with.

Mr. Cohen:

Do you have an actual plan as to which of those options you are going to take?

Ms. Brown:

The task force that was meeting, I believe stopped meeting around August or July.

Mr. Cohen:

So is it your understanding that it's the task force's responsibility to determine how to spend this money?

Ms. Brown:

It was my understanding that this had already been decided. That this would be a part of the expenditure.

Mr. Cohen:

Thank you.

Dir. Hayllar:

May I help you out? The Task Force met last year and I hope recessed its activities earlier this year. Mr. Johnson and myself were Co-Chairmen of it and the function of it was -- the purpose was to find a new accounting system since everyone including the Controller's Office, perhaps particularly the Controller's Office recognizes the current accounting system doesn't work the way you want it to.

The cost of the new system which we're trying to both design and go out for a proposal is far in a way in excess of these funds and the funds would have to be found from another

source to pay for them. These funds would not be able to even begin to foot that bill. So our point on these funds is since they have not been used since 1989 that they should be returned to other purposes until a needed expenditure is brought to Council and if there was one we wouldn't object to it.

Mr. Coyne:

My question is directed to Mr. Flaherty. What I don't understand and I do have a problem with the Administration going in and raiding the Controller's Trust Fund here. But if there has been no activity since 1989, my first question is, why hasn't there been? It seems like there should be some ongoing modernization in your office that these funds should be used and also I'd like you to answer what Mr. Hayllar has just stated that the money -- if we were going to put a new system in would be greatly in excess of this \$200,000.00 that you would have to come back for another appropriation from Council so why hasn't the money been -- why hasn't there been any activity since 1989 and what is your response to the costs of the new system being in excess of \$202,000.00?

Mr. Flaherty:

Because we were prudently managing this trust fund to pay for the new system. I think it's absurd to think that we could come back in front of this Council and ask for significantly more than the \$200,000.00 that is on the table now to delete from the trust fund; that's not going to happen. That system is going to fall apart if you let the Administration take this money and put it in the Sinking Fund. That's where it's going to -- the Sinking Fund -- to cover the deficit that exists here in the city. And there isn't going to be \$500,000.00 or \$700,000.00 in the future for a new system in the City Controller's Office and would you also care to add on that since you specifically manage the money, Lois?

Ms. Brown:

In 1989 the last time we used this code was for Peat Marwick to come in and look at the on-line Famous system. And what we're currently doing now is reviewing some of the problems we have with the current system which are going to have to be fixed. This would be the only place we'd have any money in order to fix them. We wouldn't be able to keep things going as it exists until a new system does come in or if it comes in without any money to maintain our existing Famous system.

Michelle Madoff:

Mr. Hayllar, you have suggested to us that there are other code accounts and other mechanisms or funds that could be utilized if indeed the Controller's Office is finally going to

get around to modernizing and bringing the Famous system and I recall many hearings here and even having Peat Marwick here but there were problems in it. Are there other sources of funding, Number One, and Number Two, would it have been the appropriate action for the Controller to come to us and say we need to do this and this to improve the system? Would you clarify that and then I've got a couple of other questions.

Dir. Hayllar:

I don't understand the first question.

Michelle Madoff:

I'll try again. Are there other code accounts or other sources of revenue that the Controller could use when he gets around to updating the system? Because we have heard about updating the Famous system for years --

Dir. Hayllar:

-- that is a \$1 million project to replace the Famous system. I believe the cost of Famous was upwards in and above that area itself. So this amount of money is not of great consequence in that regard. Yes, if we agreed on a system we recognize it has to be done. We will have to have other funds to do it.

Michelle Madoff:

And so that the appropriate action from what I gather from what you're saying was that at the point in time years ago when the Controller's Office should have been talking -- they did and they came to this Council. I was here repeatedly and talked about problems with the Famous system, updating the Famous system, even changing from the Famous system to something else, even changing the computers back to IBM --

The Chair:

-- what's your question?

Michelle Madoff:

The question is, shouldn't that have been addressed over the years and it really has no bearing on this account? This is not what this account is going to be used for.

Dir. Hayllar:

As I understand it, it was to be used for maintenance and upkeep but since there has been no expenditure since September of 1989, I think that also suggests how well Ms. Brown has been

tending to the system. If the money is not being used, I think we should put the money to other uses.

Michelle Madoff:

Premium pay. Why would premium pay come out of that account?

Dir. Hayllar:

That's just the way Mr. Johnson had set it up in 1983.

Michelle Madoff:

When you say Mr. Johnson, when the moneys were appropriated in the settlement of the suit and it was allocated back to the Controller's Office, how did premium pay factor into this?

Dir. Hayllar:

I don't know, I wasn't here in 1983. Mr. Johnson wrote the cover letter and Council approved it.

Michelle Madoff:

Premium pay is salaries, am I correct?

Dir. Hayllar:

Yes.

Michelle Madoff:

One last question. When that account was set up, when the moneys came through litigation or out-of-court settlement, there was an agreement between -- or there was a thought to put this money into the Controller's Office which was approved by this Council; is that correct?

Dir. Hayllar:

That's correct.

Michelle Madoff:

So that the legality from what I understand would be that this Council can say we no longer wish to have that account there or we wish to have it there or is there some overriding or litigation or law that says we can't do that? Did we create it in the first place and therefore we can undo what we created or is that not the case? So now it's up to this Council to say should we leave this amount of money there which is \$200,000.00 idling used for salaries or designed to be used for salaries,

and you know my feelings on that, we have more people working in the Controller's Office than we have in most cities, or should we take that money out and when the Controller is ready with a plan and wishes to update their system so that they then come to this Council or to the Administration and say this is what we need to do, as you say it's far greater than \$200,000.00, when are you going to do it, what is the program, and get on with doing it. This is like taking any account and use it for something else; you can't do that. This was allocated for a purpose that wasn't used, it has no bearing on modernization of bringing the system into the 21st Century and my suggestion is that we remove it.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3455

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 3456

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984,

'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3467

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Phipps Friends in the amount of \$6,712.20 in payment for the purchase of plants for Phipps Conservatory Plant Sale, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 3349

A Resolution entitled, "Resolution amending Section 1(a) of Resolution 564, approved July 17, 1989, and amended by Resolution 844, approved October 27, 1989, entitled: 'Authorizing the implementation of an employee Tuition Reimbursement Program for the City of Pittsburgh,' by reducing the rate of reimbursement to fifty percent (50%) and adding a repayment obligation for employee who leave within two years after earning degree. (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

Mr. Perry, as you read that bill, was something added? I'm a little confused. You said, "leaving within two years". Would you please repeat that?

Mr. Perry:

This bill was supplemented on Wednesday.

Michelle Madoff:

And I believe that was my supplement, was it not?

Mr. Perry:

Yes.

Michelle Madoff:

Right. So this was a replacement bill that says, in essence, that anybody who is getting presently 80 percent, and the move here is to change it to 50 percent, would have to give us two years of service unless, of course, they were let go. But if their services are required, they would have to give us the two years. I have amended that, which is one of my great concerns and I want to bring that out to my colleagues. I have a concern, as I have stated before.

I also had a concern about fairness to the people who already enrolled in programs thinking they were going to get an 80 percent and that they should be grandfathered because they may not be able to continue on the 50 percent. I think the 50 percent should apply to anybody new starting. But I won't fight that.

The biggest issue I have now is that it just came to my attention about five minutes before session that one of the young women on Mike's

staff wanted to improve her abilities so that she could be of greater service to the City. She wanted to take a course in Business Administration and was told that she couldn't take it but she could take Public Administration. That doesn't sound very significant but it's a difference of being paid for two measly credits.

Now, can someone explain to me, and I happen to be very fond of Glenn Cannon and I know I'm one of the very few from this Council. I think from what we've heard some of the people are not terribly fond of him. I think he does a good job.

Mr. Regan:

Can we take a roll call vote on that?

Michelle Madoff:

Glenn Cannon will get close to \$15,000 to \$20,000 to go to law school.

The Chair:

That's not the issue in front of us.

Michelle Madoff:

The issue is before us because if one of the women can't get two credits -- I want to resubmit this bill so we can put a cap on the bill so that a few people can't use up the entire amount of allocations we have. I have just requested the total dollars that have been spent in this program.

I see no reason, maybe someone can explain to me why the Public Safety Director needs to be an attorney when we have a whole Law Department and why we're funding that.

The Chair:

You may want to amend this bill either as

it sits or in some other fashion. And I would strongly recommend that we deal with what's in front of us today. And if you want to come back with a revised version of the bill, please do so.

Michelle Madoff:

Let me see if I'm clear. Perhaps you could help me with this, Mr. President. As a bill is amended, anyone who gets the bill is going to get only 50 percent, anyone who is eligible --

Mr. Ferlo:

No. They will continue to get 80 percent.

Michelle Madoff:

Will continue to get 80 percent but must also give us two years back unless they are let go. Is that correct?

The Chair:

Presently there is a negative recommendation to defeat what the Administration is suggesting, which is to change the tuition formula. And I would suggest that if you want to change what is on the table, to simply offer an amended bill.

Michelle Madoff:

Mr. President, again, Mr. Perry just read that there is a provial which is my amendment that has already been put in the bill that says they must give us two years back and they get their 80 percent.

The Chair:

So, you want to vote --

Michelle Madoff:

To leave that. That's not a problem. But I will take your lead and next week I will introduce legislation that puts a cap and justification for why somebody can't be allowed to take a program and someone else -- Why should one person be able to spend \$20,000 of the taxpayers' dollars and some of them be denied \$1,000 extra a year? I think we have to have some justification and some regulations as to why somebody could have it and someone not have it.

Mr. Ricciardi:

Mr. President, I believe Michelle Madoff's comments are appropriate. She's talking about the program in general and the parameters of the program. I think instead of us having to vote today, I would ask Michelle to make a motion to recommit this bill and I would second it so that we could have further discussion.

The Chair:

There's no motion on the floor. We're voting on the bill so far.

Mr. Ferlo:

Just to reaffirm, this bill has a negative recommendation because of the formula. It takes away a benefit from non-union employees that we do not want to take away.

Michelle's points are legitimate, both on the capping of the amount which we need to discuss during budget time, whether or not directors should be enrolled in the program, the two year requirement, what have you. And she should submit separate amendments to the original bill.

But I urge that we not recommit and that

we vote no and defeat this bill as written.

Mr. Cohen:

Mr. President, I think that Michelle has some good points. I do still have problems with this bill, though, and the problems are, one, that it really is one of the few benefits for non-union employees.

But the other is the mechanism that the Administration would have to put into place to try to recapture this money for employees that leave the City after taking advantage of the reimbursement program.

So, I think the mechanism is flawed and I think that the substance is flawed too and we should vote it up or down.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES none NOES 9

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 3478

A Resolution entitled, "Resolution providing for the transfer of funds totalling \$10,000.00 (ten thousand dollars) to Wages Regular and Extra Employees, Code Account 1167, Index Code 116707, from Salaries and Wages, Regular Employees, Code Account 1166, Index Code 116608, all accounts within the Department of Environmental Services. This transfer is necessary to continue to pay for Salaries and Wages, Regular Employees until the end of the year."

Which was read.

Also,

Bill No. 3479

A Resolution entitled, "Resolution transferring the amount of Three Thousand (\$3,000.00) Dollars from Code Account 1608, Salaries and Wages, Regular Employees, Index Code 160804 to Code Account 1640, Salaries, Regular Employees, Index Code 164004 and the amount of Five Thousand (\$5,000.00) Dollars from Code Account 1608, Salaries and Wages, Regular Employees, Index Code 160804 to Code Account 1641, Wages, Regular Employees, Index Code 164103, all within the Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3484

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania to refund a reimbursement received from Pittsburgh Literacy Initiative, a program of Goodwill Industries of Pittsburgh in connection with computer hardware and software maintenance paid for under the SPOC contract which ended June 30, 1991."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan

Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3485

A Resolution entitled, "Resolution authorizing the transfer of \$560,000.00 (five hundred sixty thousand dollars) from Code Account 1, Index Code 000109, Interest on Bonds and Notes, and \$1,340,000.00 (one million three hundred forty thousand dollars) from Code Account 1154-1, Index Code 115410, Rental of Motorized Equipment, Department of General Services, to Code Account 45, Index Code 004507, Health Insurance Municipal Employees, Department of Finance."

Which was read.

Also,

Bill No. 3495

A Resolution entitled, "Resolution transferring the aggregate amount of forty thousand dollars (\$40,000.00) from Code Account 1, Index Code 000109, Interest on Bonds and Notes to Code Account 1420-2, Index code 142026, Wages Regular Employees."

Which was read.

Also,

Bill No. 3496

A Resolution entitled, "Resolution authorizing the transfer of ten thousand dollars (\$10,000) from Code Account 1476, Index Code 147603, Miscellaneous Services, Department of Public Safety and five thousand dollars (\$5,000) from Code Account 1020, Index Code 102004, Equipment, Mayor's Office to code Account 1475, Index Code 147504, Salaries, Regular and Temporary Employees, Department of Public Safety."

Which was read.

Also,

Bill No. 3497

A Resolution entitled, "Resolution authorizing the transfer of two hundred ninety thousand dollars (\$290,000.00) from Code Account 1977 Water Utilities, Index Code 197707 to Code Account 1461, Salaries and Wages, Index Code 146100 and ten thousand dollars (\$10,000.00) from Code Account 1977, Water Utilities, Index Code 197707 to Code Account 1461-2 Ingrade, Index Code 146126."

Which was read.

Also,

Bill No. 3498

A Resolution entitled, "Resolution transferring the aggregate amount of six hundred forty-two thousand four hundred forty-three dollars (\$642,443.00) from various Department of Public Safety Code Accounts, and code Account 1978, Water Chemicals, Index Code 197806, to Code Account 1443, Index Code 144303, Police Salaries and Wages, Bureau of Police, Department of Public Safety."

Which was read.

Also,

Bill No. 3499

A Resolution entitled, "Resolution transferring the amount of four hundred thousand dollars (\$400,000.00) from Code Account 45, Health Insurance-Municipal Employees, Index Code 004507 to code Account EMSTF, Emergency Medical Services Trust Fund, Index Code 251785, Department of Public Safety."

Which was read.

Mr. Cohen:

I'd like my remarks on Bill No. 3499 brought forward, please.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 3499, WEDNESDAY,
NOVEMBER 27, 1991)

Mr. Cohen:

Discussion. About three bills ago we transferred \$1.3 million into the Health Insurance Municipal Employees Account and here we're taking \$400,000.00 out.

Mr. Turner:

The left hand does know what the right hand is doing. This refers to 1992. It does not refer to 1991 and what it is, it's a front funding for the EMS. As you know, what we've proposed in the budget and this only makes sense if the budget is adopted as proposed. What we've proposed in the budget is that a large chunk of the EMS salaries will be funded from the revenue that they bring in through the reimbursement process. But what they need in order to make the first paycheck is a front funding. So there will be a \$400,000.00 transfer in January to provide instant funding to the account and then toward the end of the year that money will be returned to Code Account 45. So Code Account 45 will be held harmless.

Mr. Cohen:

And will the trust fund itself, will it be used for salaries?

Mr. Turner:

Yes.

Mr. Cohen:

Thank you.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 3588

Report of the Committee on Public Works for November 27, 1991 transmitting two ordinances and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3438

An Ordinance entitled, "An Ordinance amending Ordinance No. 37, approved December 20, 1990, entitled 'An Ordinance amending Ordinance No. 17, approved August 17, 1990, entitled 'An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and

Actions, Chapter 601 - Public Order and Title Seven - Business Licensing, Article VII - Service Businesses, Chapter 765 - Commercial Refuse, to add provisions for the administration and regulation of the collection and recycling of recyclable materials and leaf waste, and imposing penalties for the violations thereof,' to amend the types of materials to be collected by the Department of Environmental Services, to manner of collection of such materials and related licensing requirements, and to renumber the subsequent sections and references accordingly,' to provide additional authority to the Director of the Department of Environmental Services to obtain information on collection practices and to establish certain fees."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. COHEN VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3439

An Ordinance entitled, "An Ordinance amending the Pittsburgh City Code, Title Four - Public Places and Property, Article I - Streets and Sidewalks Chapter by increasing and establishing new fees." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 3440

A Resolution entitled, "Resolution amending Resolution No. 833, effective August 3, 1978, entitled 'Requiring deposits in connection with the loan of raccoon or cat cages by the City of Pittsburgh, Department of Environmental

Services and providing for the disposition of forfeited deposits,' by increasing the deposit to Fifty (\$50.00) Dollars and authorizing a Fifteen (\$15.00) Dollar fee for the rental thereof, and the disposition of said fee."

Which was read.

Michelle Madoff:

For the listening audience, would you clarify what is happening when we say it's a negative vote? Would you explain exactly what the problem is? I think people need to know. That's why we're on cable.

The Chair:

Well, the reason for clarification is simply that even though the bill has a negative recommendation, it is sometimes confusing --

Michelle Madoff:

That's not what I mean. What the issue is.

The Chair:

The issue deals with the leasing of cages in Environmental Services, as Mr. Perry just read --

Michelle Madoff:

And collect a fee, and we want to change it to --

The Chair:

And this Council in Committee last week was opposed to that and I suspect it is today.

Mr. Ferlo:

Mr. President, since she did ask for

clarification, there's another issue I think we need to discuss during the budget proceedings with Environmental Services. I was alarmed when I learned that now, in addition to being opposed to the fee issue, there still is the basic problem of not enough cages available in the department for individuals who are having a problem with stray cats and raccoons who live next to parks.

But the other thing I was very alarmed with, in previous years, I believe a year ago, the former director of that Department, the head of the Animal Control, Barry McMeekin, testified before Council that these animals were brought up to Butler County, especially the raccoons, and were let go in the woods. I was a little bit concerned to learn that we're now basically killing the animals that are collected. I have a problem with that and I hope that we'll be able to debate that during the budget proceedings.

The Chair:

We have already asked our budget staff to put more dollars in a line item for additional cages and we could add a paragraph to the budget requesting that the animals that are considered wild be brought to wooded areas. And I believe we can put that right into the budget.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES none

NOES 9

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 3441

A Resolution entitled, "Resolution providing for a contract or contracts, or the use of existing contracts for the purchase of containers for the office paper recycling program for the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 3589

Report of the Committee on Planning, Housing and Development for November 27, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3178

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(7) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Public Parking Authority for authorization to construct a five-level parking structure containing 208 stalls with three levels above grade, one at grade, and one below grade located at 714-734 BELLEFONTE STREET, on property zoned 'R4' Multiple-Family Residence District, 7th Ward." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Cohen:

Mr. President, I would like to discuss Bill No. 3178 involving the Shadyside Parking situation. I want to take this opportunity to explain why I believe that voting for this bill would be good for the neighborhood of Shadyside and good for the City of Pittsburgh.

As you know, this bill was part of a package that was negotiated in the neighborhood between residents and merchants of Shadyside and with the Masloff Administration.

Because there was a serious parking problem in Shadyside, one of my first acts upon taking office in January of 1990 was to lobby the

Masloff Administration to immediately institute residential permit parking in most areas of Shadyside. Permit parking would, of course, have the effect of taking hundreds of cars off the streets in Shadyside, particularly those owned by Walnut Street employees, university students and commuters taking the busway Downtown.

Unfortunately, the Administration refused to even begin the process of doing the study necessary to implement permit parking. They continued to refuse to do so until two weeks ago.

Disturbed by this response, my next step was to bring residents and merchants together to attempt to reach a solution in the neighborhood. In the Fall of 1990, I put together an ad hoc committee of residents and merchant community leaders and this committee met several times between January and May of 1990. In the best spirit of good faith negotiation, they successfully hammered out a proposal known as The Six Point Plan. Having chaired those negotiations, I was very impressed that those representatives were able to put aside their historic differences to achieve an agreement for the larger good of Shadyside and the City.

The Six Point Plan called for residential permit parking in most of Shadyside, a parking garage of between 200 and 250 spaces, restricted square footage for new businesses, a temporary moratorium on new development in the Walnut Street corridor, a return to traditional business hours, store hours, for the Walnut Street businesses, and requirements for physical buffers between the residential and commercial zones.

During the last six months I took this plan to every relevant City official including the leadership of the Parking Authority, the Mayor, the Director of City Planning, every member of the Planning Commission, and my City Council colleagues.

I want to thank my Council colleagues for voting to table this bill three weeks ago in order to conduct further negotiations with the Administration on The Six Point Plan. Those negotiations were successful because the Mayor effectively agreed to five of the six points in The Six Point Plan, everything except for the return to traditional store hours.

Most of those points are contained in the Mayor's Executive Order of November 20th in which she asked the Planning Commission to waive the 70 percent signature requirement for permit parking, as is allowed under the Code. This waiver paves the way for fast track implementation of permit parking in Shadyside and ensures that no stickers will be granted to the hundreds of Walnut Street employees.

The Mayor also requested the Planning Commission to develop legislation for height and square footage limitations on new businesses in the A-1 zones like Walnut Street, and for physical buffers between commercial and residential zones.

The final piece of the package was to amend the parking garage bill before us to ensure that none of the spaces in the parking garage be used to satisfy the zoning requirement for parking for any new development. And I want to thank the majority of my colleagues for voting for this amendment.

As I have said all along, neither the merchants nor the residents are thrilled with this package because both sides had to give something up to achieve it. But that is the nature of compromise. Since the package was announced, the majority of both sides have not only accepted this solution but actively endorsed it. In particular, both the leadership of the major neighborhood group, the Shadyside Action Coalition, and the merchant representatives of

the Chamber of Commerce, have endorsed it in writing.

Personally, I wish the Administration would have implemented permit parking several years ago because I think that would have solved the problem. But that didn't happen, despite the constant urging of many people in the neighborhood and myself.

But, in all, it's a good package. It preserves the quality of life of the neighborhood while enhancing the vitality of the business district. Most important, it was a package that was negotiated in the neighborhood by neighborhood residents and merchants.

That's why I was disappointed with my colleagues who voted against this neighborhood package last Wednesday. I was particularly surprised that three of my colleagues who had publicly declared their support for the parking garage in Council chose to vote against the compromise package last Wednesday by stating that they didn't support the parking garage.

Less than three weeks ago at Council's Finance Committee Meeting of November 13th, the following statements were made, and I'm reading directly from the transcript and it is verbatim from that meeting:

"Mr. Ferlo:

Personally, I'm in favor of moving ahead on this project full steam. We need to approve it and be done with it and not exacerbate issues in the coming week by holding it."

"Mr. Wagner:

I am a proponent of implementation of this garage. So, to build this garage, I believe, is the right thing to do. I would hope that this Council would move forward on this issue

today."

And yet, both Mr. Ferlo and Mr. Wagner voted against this package last Wednesday stating that they were concerned about the cost of the garage. Surely the garage isn't their real concern because they spoke so eloquently in favor of it less than three weeks ago. And the cost of the garage has not increased a dime in that time. In fact, both of my colleagues have consistently supported this garage since its inception.

So, what does account for the last minute conversion against this neighborhood package? What has changed in the last two weeks? The only thing that has changed is that we convinced the Mayor to issue an Executive Order which provides major protections for Shadyside residents, a commitment to implement permit parking and restrictions on future commercial development.

The only group that opposes these protections, indeed, the only group that didn't sign on to The Six Point Plan, is the landlords who own commercial buildings on Walnut Street. The only explanation for the conversion of my two colleagues is that they are being too attentive to the interests of the landlords. But our job is not to represent the Walnut Street landlords whose goal is to make big bucks through high rents without concern for the neighborhood. Our job is to represent the residents and the merchants who live and work in the neighborhoods. And I ask my colleagues to reconsider their vote and support this package.

As for my colleague, Mr. Ricciardi, his vote last Wednesday is equally inexplicable. At the November 7, 1991 public hearing on this issue, he completely endorsed The Six Point Plan, including the parking garage. I quote:

"Mr. Ricciardi:

I must say that being from the South Side, parking garages are very important and I want to do my very best to vote in favor of this parking garage but there is an issue we have to deal with and it just can't be a parking garage standing by itself but it has to be a comprehensive program.

I feel comfortable and confident that I will vote for this garage next week, but there is a lot of ironing out that has to occur and it has to be a comprehensive package for me. There has to be some commitments from this Administration in writing. It definitely has to be part of Mr. Cohen's Six Point Plan."

Well, what Mr. Ricciardi said he wants is exactly what the Mayor agreed to and what this package represents. In fact, the only point of The Six Point Plan which Mr. Ricciardi said he had problems with at the public hearing is the only point which is not included in this package, and that's store hours.

I don't know what Mr. Ricciardi's reason is for voting against the package last Wednesday, but I ask him to reconsider it in light of his expressed position on November 7th.

Let's vote for this package. Let's vote for it because it's the right thing to do. Let's vote for it because it has been endorsed by both the residents and merchants of Shadyside.

As the President of the Shadyside Action Coalition, Mary Alice Lightle said in her letter to you endorsing this package, "Do you want to be part of the solution or do you want to be part of the problem?"

I ask that my colleagues join me in being part of the solution and resolving this issue once and for all after more than 20 years of bitterness and controversy. Thank you.

Mr. Ricciardi:

Mr. Wagner, first of all, I'd like to thank Councilman Cohen for his remarks. I rather found them amusing.

I'd like to first say that Mr. Cohen must not feel very secure in voting for the garage because the votes are here, 5-4. And it appears that Mr. Cohen would like to go back to the district and have a 9-0 vote just in case something goes wrong. I feel as though something is going to go wrong.

If I may say about The Six Point Plan, I committed to the plan but not through an Executive Order. I talked about legislation. This Administration's commitment to neighborhood groups and residents is not 100 percent, and we have seen that in a Post Gazette article several months ago when neighborhood groups and residents spoke up and showed a lack of consideration or a lack of respect for their work.

So, may I say that I maintain what I said last week. The garage is much, much too expensive. It's going to be subsidized by other neighborhood shopping districts. I don't believe that The Six Point Plan will work and the reason is that I haven't seen the legislation. Permit parking is something that we could try and I think trying it will show that we might not need a garage.

If I may say, if I was in Mr. Cohen's spot and as I have done in the South Side, I would not be held hostage by this Administration for permit parking if I accept the garage. Permit parking is a right of residents, of taxpayers, and of the neighborhoods. And if my residents, my constituents wanted permit parking, they would get permit parking from this Administration. Thank you.

Mr. Regan:

I would like to say this, that I personally resent my colleagues being lambasted because in my time in Council I have found that things change from day to day.

Mr. Cohen won 5-4 last week and I am sure that he may win 5-4 this week. I would call that a sore winner. When you win and you're still mad and you have to blast your colleagues to assure yourself that you're doing the right thing, I just don't think that's the right thing to do.

I can honestly say that this group of nine people have been the best Council in the City of Pittsburgh's history. And I would urge my colleagues to vote against the garage for this reason that he lambasted them in public. I just don't think it's a fair thing to do and I don't think it's the right a to do. And I urge all my colleagues to vote to make it an 8-1 vote.

Michelle Madoff:

I would urge my colleagues to stop the hyperbole and stop posturing and stop being political, and I'm sure I have been accused of the same thing in the past. We've been at an issue on the table for 20 years.

I would like to add, you know, we're al in the learning process. I refer to myself as a historian because I have been here over 13 years and I have been through this garage issue over and over again and my good acquaintance, The Pittsburgh Press, will publish that I'm not at all the hearings but I never miss the two important meetings, rarely ever miss them, but I don't come to the same thing that happens over and over and over again, which leads me to my point.

My point is that many years ago, four, five, six years ago, before Blatner died, he was head of the Shadyside Merchants Association, I

met with everybody there. And the things that I got them to agree to at that time was that not only the employees, but the owners, Dan, would get their cars off the street, and I didn't hear you say that. You said employees. So, I wanted to be sure that the owners were also getting their cars off because as my hero, Barbara Burns, once said, "Haven't the people in Shadyside, the owners, learned what the people on the North Side, the North Side merchants, have learned? If you want people to park and shop there, get your own damn cars off the street." I think that's very rudimentary and very fundamental.

But let's get to one of the key issues here, the cost of the garage. I ran the numbers; if every merchant in the Shadyside community, if the owner and the chief management person committed to only two parking spaces each, we don't need to build them a garage. They have enough money to build their own garage. The issue is that the way to build garages is through the Parking Authority. That's the proper way to do it.

So, there's no doubt in my mind that we should never, ever run into a deficit in Shadyside on that garage. And that's been one of the issues that has concerned people, like yourself, Jack. And I wanted to tell you that if you trust me, and I hope you do, I sat and ran the numbers and they're very easy to do. There are X number of businesses there, if two people, the owner and manager and probably one other, just two, committed to the garage if we needed them, the garage will never, never be a deficit to the City. If they're stupid enough to park their own cars in the garage and not let customers in, that's not our problem. But I'm saying that the dollars will be there and I think good people ought to start dealing with the issue intelligently.

Let's vote for this thing and let's get it over with and let's not say just because somebody is a little immature, maybe new on Council, attack

somebody because I have been accused of the same thing in the days gone by. I remember when I was told that I was the worst Councilmember. Let's just vote for this thing and end it.

Mr. Ferlo:

Mr. Chairman, I wasn't going to speak, I was just going to let my comments be brought forward. But, in defense of Mr. Cohen, even though he singled me out in the manner that he has, he is perfectly free to say what he wants and I think his comments were poignant and point blank. I'm personally not offended. We have a disagreement on the issue of here. But I appreciate the fact that we are having debate and he is willing to initiate the dialogue that he has in the last many months.

My position has not changed despite Mr. Cohen's dialogue earlier similar to the history books writing on Columbus' landing in America. It's just not as accurate as it seems to be. My position is pretty clear. I said that I'm in favor of a garage and I'm still in favor of a garage and, unlike the community sentiments, I'm in favor of a garage that is more cost effective and fundamentally will deal with the priority. And the priority should be, how do we deal with parking that is needed for a very viable commercial corridor. I don't believe that this garage meets that, especially in light of the amendments that Mr. Cohen added.

What I'm suggesting is the following, and the reason why I voted no the other day and I'm going to vote no also today: I believe the proposal should be put on hold for a year. And, as I stated in the last Wednesday session, Mr. Cohen, what I'm in favor of, while ultimately I do favor some type of a garage, I'm suggesting that for the incoming year we should do the following: We should institute valet parking on all the surface lots. We should implement and do the outreach that's needed and fully implement

residential sticker parking. And I think also, as part of this, we should thirdly commit the East Liberty corridor to employee shuttle and make that actually work. I think that would begin to have an impact that we could actually analyze and review as to whether or not and if any additional parking spaces have been made available.

We have been debating about this for 20 years. I have only been on Council for three years, so I haven't been part of the lack of action on the part of the City Administrations, past and present. I'm saying that it would be better to table this and vote no on the bill today, implement the three things I'm suggesting, and return to this debate a year from now. That's how I believe and that's why I'm voting no on the proposal that's before us today because of the amendments that have been added.

Secondly, I think the basic problem, even though Michelle and others say, "Well, we've been discussing this for 20 years." and that may be true, but the basic problem is that we haven't had a Mayor and Administration willing to do something for 20 years. What I'm saying is, let's do something with the guidance of counsel. It's the three things I suggested. We'd have a concrete assessment at that point of whether or not and to what extent and what size of a garage is needed, and we would be able to vote for a more cost effective garage.

The Chair:

I would like to offer an amendment to the bill.

Mr. Perry, would you please pass this out? And please read the amendment.

I'd also like to state my reason for the amendment.

Mr. Perry:

Motion to amend Section 3 of Bill No. 3178 by deleting: "to construct a five-level parking structure containing 208 stalls with three levels above grade" and inserting "to construct a six-level parking structure containing 250 stalls with three or four levels above grade, one at grade, and one or two below grade, not to exceed a total of six levels."

The Chair:

I'd like to explain the amendment. First off, I'll let everyone know, if this amendment passes or it fails, I'm going to vote for the bill. The reason being, I have been on this Council 7-1/2 years and I want to see this garage move forward and my testimony not only two weeks ago, as Councilman Cohen indicated, but also three years ago and five years ago, indicates that I wanted to see a garage built in Shadyside. My problem has always been the cost of the facility. I was willing to accept voting on this bill several weeks ago, either two or three weeks ago, based on the bill in front of us. I think because of the restricted covenants placed on the garage, the garage is more and more in jeopardy of being able to pay for itself. Consequently, it must be subsidized by the taxpayers in all 88 neighborhoods of the City of Pittsburgh.

That has been a concern of mine. I have researched this issue as to the cost of building garages, and I know factual that quality garages in this City such as the Station Square garage, such as the Parkway Center garage, have been built for \$7,000 per spot, with pre-fabricated, modular-type systems, and dressing up the garages on the exterior.

I think that should have been pursued here. I have talked with the architects, I have talked with Mr. Leiber. They have indicated that the spot in which the garage sits cannot

accommodate that type of facility. However, the architect, Leonard Perfido has also indicated to me that the size of the garage dictates the cost effectiveness of a garage.

What this amendment suggests here in front of you is only an option. It is not a mandate. Let me repeat that: It is not a mandate; it is an option. If this garage needs to be cost-effective by adding additional spots, we, in voting for this amendment, are in essence stating that this garage can be built one additional story lower or two levels below ground, or four levels above ground, the option being given to the Parking Authority and the architect. It is that simple of an amendment.

Now, I'll go back where I started. I want to see this facility move forward and I think this amendment is a quality amendment.

Councilman Cohen, your comments about me earlier were right on target. I want to see a garage built. And I would hope that you, in all your efforts, would support this amendment just as Council has supported yours.

First off, I need a motion to amend the bill.

Mr. Darkins:

So moved.

Michelle Madoff:

Second for discussion.

Mr. Cohen:

Mr. President, let me touch up on a couple points briefly. One is about permit parking that was mentioned earlier, about doing it through legislation or doing it through Executive Order. I think we all know who are familiar with the

permit parking section of the Code that it cannot be done through legislation. It has to be done by the Planning Commission and the Planning Department. That can only be done by the Mayor of this City and it cannot be done by legislation.

As far as the amendment is concerned, Mr. President, this is the first time that I have seen it. It has not been presented to me earlier. But having seen it now, I am opposed to it. It asks to a six-level garage as opposed to the four-level garage which is before us.

The Chair:

Let me correct that. It's five levels in front of us; one below ground, one at ground level, and three above ground for a total of five.

Mr. Cohen:

The three above ground includes the one at level. So, in any event, it adds two levels here.

The Chair:

No, it adds one level. I would ask you to re-read the amendment. The present bill in front of us is a total of five floors. This bill is a total of six floors.

Mr. Cohen:

It depends on how you define it, Mr. President. In any event, what this does do is it adds at least a level to the parking garage and that's something that I can't support. I don't think that you've brought this to the neighborhood. None of the neighborhood people have mentioned it to me. None of the merchants have mentioned it to me.

And that's the problem with this. What this package was is a package that was developed in the neighborhoods between residents and

merchants negotiating out and saying, "Okay, will you give up this?" "Yes, I'll give up this if you can give up this." And what came out of that package was several points including a parking garage that we have before us here and I don't think that we should be adding an extra level to the garage. What that does is upset the apple cart and essentially undermines the package that was negotiated in the neighborhood.

I don't have any figures on this. I don't know if Jeff Leiber at the Parking Authority has seen this but he certainly hasn't provided me with any figures with it. We would have to start that entire process again because the process has to be in the neighborhood. It has to be between merchants and residents and not right here in City Hall.

The Chair:

This is only an option.

Michelle Madoff:

It's unfortunate that this wasn't brought forward some time ago. There might have been time to meet with the community because that's how it impacts.

I repeat, I disagree with you, respectfully, Mr. President. I believe that if worst comes to worst there should be a commitment in this negotiation where the owners would have to take up the parking spaces. There isn't enough space for the owners and the employees if that were the case, if it were a matter of deficit of using the parking spaces should they become vacant. There are enough people there to guarantee there will not be a subsidy.

What has happened is, the reason this bill has failed year after year after year and the hearings that I have attended, is because at the last minute everybody wants something that they

think is appropriate. And as my colleague, Dan Cohen, said, this is a compromise. This is an agreement. Nobody got everything but everybody got enough they could live with. And I think if we put the thoughts that Mr. Ferlo has put in and your thoughts at this late hour, the bill will go down to defeat and it will be another 20 years and I call the vote.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Regan	(Pres't)

AYES 5

NOES 4

VOTING NO:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Regan:

Mr. Chairman, since we have so much confusion here, I would like to make a motion to table this bill and if we go into the communities. Since there's a problem with adding an extra floor, we don't know the numbers, we don't know the figures --

Mr. Ricciardi seconded the motion.

Mr. Cohen:

Discussion on the motion. I think that this is typical of what has happened for the last 20 years, Mr. President. This has been going on for over 20 years now and people want to hold it up again. We could go on for another 20 years. I say we vote this up or down.

Mr. Regan:

Mr. President, there's no discussion on a motion to table, from what I understand in Robert's Rules.

The Chair:

As long as it pertains to the motion and Mr. Cohen's comments pertained to the motion.

Mr. Regan:

Thank you, Mr. President.

Mr. Ferlo:

Mr. Chairman, I stated my position earlier. I'm voting no on the garage for the reasons I stated.

I'm in agreement with Mr. Cohen. I don't think we should table the bill. Let's vote it up or down and be done with it.

Mr. Milliones:

Point of Order, Mr. President. There's no discussion on a motion to table a bill.

The Chair:

We are getting all over. Roll call on the

motion to table.

Michelle Madoff:

On the motion. Not on the motion to table, on the motion that you had on the floor. I would like to ask one of my colleagues to rescind their vote so it would not pass, that we can vote on the bill.

The Chair:

Councilwoman Madoff, you are out of order.

On the motion to table, roll call.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Regan Mr. Ricciardi

AYES 2 NOES 7

VOTING NO:

Mr. Cohen Michelle Madoff
Mr. Coyne Mr. Milliones
Mr. Darkins Mr. Wagner
Mr. Ferlo (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

I would respectfully ask that we

straighten out this mess because there's a problem here. Everybody understands what's happening here politically.

If one of the people who voted for your amendment doesn't withdraw it, then they still have the option, I believe, by Robert's Rules before we close the meeting to withdraw their vote. Then we can proceed with the bill because if we leave the bill with an amendment in it, it goes back to the community and is effectively killed. Let's not kid ourselves here. Does everybody understand what has happened here?

The Chair:

I want to clarify the amended bill. Again, this is only an option. And I'm stating that again as I did with the amendment. It does not need to be followed through and, if it were followed through, I would suspect that there would have to be negotiations go on between the residential community and the business community and agreements reached with certain parties.

Michelle Madoff:

I would suggest then, Mr. Wagner, that you withdraw your amendment and make it as an amendment later to the bill because you're killing the bill. If you put that in now, the bill doesn't pass unless Mr. Darkins will withdraw his vote, and that would make it a 4-5 and the amendment wouldn't pass and we could get on with the bill.

Are you willing to do that, Mr. Darkins?

Mr. Milliones:

Mr. President, your amendment does not state what you just stated, that this is only an option and does not have to be instituted. It seems to me that that needs to be included, indeed, in the language as opposed to simply being stated by yourself.

The Chair:

I would entertain a motion to include the word "option".

Mr. Milliones:

I so move that part of the amendment that Mr. Wagner submitted contains language referring to this as an option as opposed to a mandate.

Michelle Madoff seconded the motion.

The Chair:

In order for an amendment to be an amendment at a final legislative meeting, it has to be in writing.

Mr. Ferlo:

Motion to suspend that rule, Mr. Chairman.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Michelle Madoff:

Let's make sure, Mr. President. I think everybody has to understand what has happened.

Since you have graciously agreed to put the word "option", which was your intention to begin with, it is not binding, and therefore if we vote yes on the bill this may or may not be included subject to --

The Chair:

Negotiations between the community --

Michelle Madoff:

Within a very reasonable time. I'd like to put a time limit on that because otherwise this bill will be another 20 years. Would that be in order?

The Chair:

There is a motion on the floor and that's all we are talking about, to add the words, "as an option".

All those in favor? Opposed?

Mr. Coyne:

No.

Mr. Cohen:

No.

WHICH MOTION PREVAILED.

The Chair:

Two opposed.

Roll call vote on the bill as amended.

Michelle Madoff:

Clarification. Before we vote on the bill, can we discuss it since it has been amended?

I want everybody to understand what has happened here. We now have made it an option. I want to understand what that option means. Does that mean the option is forever? Does that mean the option has to take place within 30 days? Does that option mean that it will be an option going back and forth for another five years?

I think we need to clarify that, Dan, and my suggestion is that we further amend and that

we waive having to have it in writing, as we did for yourself, Mr. President, and we put a time limit on that option, and that option should not exceed 30 days.

The Chair:

Let me clarify one point. With the mandate of the original bill with 208 parking stalls, the Parking Authority could have build a garage that is lesser in size and still be within the law. The same holds true with this bill. That's the point I want to make.

Michelle Madoff:

Mr. President, in response, every day we delay it costs money. And if we don't do it for another year or two years --

Mr. Ferlo:

Clarification on the timetable. This bill as presently before us is ten days upon the signature of the Mayor, assuming Mr. Cohen or others don't make it law upon the signature of the Mayor. There's a 30 day right of appeal. So, either way, it's a timetable of either 30 days or 40 days until the Parking Authority can move on the implementation of the conditional use.

Michelle Madoff:

Mr. President, that is true. However, the way it is worded, as an option, you now say to the community, "You have this option; let's discuss it." You say to the merchants, "You have this option and we delay the process."

Mr. Ferlo:

Mr. Chairman that's not accurate. What is accurate is that --

Michelle Madoff:

Why would you care if I'm redundant?
Why can't we put an option in to have a
timeframe?

Mr. President, respectfully ask that we
put a date in to exercise the option that is no
longer than 30 days. Would somebody please
second that?

Mr. Ferlo:

Point of Clarification. There is no
timetable, Mr. Chairman. The bill is granting a
conditional use to the Parking Authority. That
condition use, upon us agreeing to this in law,
becomes effective upon the signature of the
Mayor and then also I believe there's a 30 day
appeal process which is always the case of a
conditional use. There is no timetable in the bill.
It's immediate authorization. Good, bad or
indifferent.

The Chair:

You're right, it is.

Let me clarify something, and this is my
error in my motion in not clarifying it
appropriately. But I believe my intent is good
here. What Mr. Perry has clarified to me is that
the original bill in its original language should
pass with that language with an additional
paragraph as an option, in that the original bill
would be the mandate. Is that accurate, Mr.
Perry?

Mr. Perry:

The way this amendment reads, if we
pass it the way it is now, it's going to be a six-level
parking structure.

Now, if Councilman Wagner wants an

option, that should be a separate section to make
that an option.

Michelle Madoff:

Nobody quarrels with that. The question
is, how long can you exercise the option? I'd like
to put a 30-day limit on it, even if it's a
redundancy, even if what Mr. Ferlo says is true,
that there is a time frame in which this will be
agreed upon.

My great concern, having lived with this
for 13 years, is that the community or somebody
with a vested interest will jump on this and say,
"Wait, we want to negotiate this; it is an option."
And I say let's put a limit to the time of the option.

Mr. Cohen:

Mr. President, I was opposed to this
amendment to begin with and I'm opposed to it
now. It is an amendment which tries to expand
the size of the parking garage with is absolutely
unacceptable to the neighborhood.

Michelle Madoff:

But it can't stand --

Mr. Cohen:

Moreover, it is unacceptable, Michelle, I
am sorry. We have worked for years on this
project and include several components. That
was a process that began in the neighborhood.
And what I think this does is cloud the issue and
tries to undermine that package that was agreed to
the neighborhood.

I want to ask my colleagues to oppose it
and go with the package that we had that came
out of the neighborhood, that was negotiated and
that's before us. We had an awful lot of time.

Mr. President, you had, I don't know about 20 years but at least the 8 years that you have been on Council, to put forward this amendment. It has not been seen by either the neighbors or the merchants or Council colleagues. I think we should vote it down and go with the package that we have worked out over the last several months.

Mr. Darkins:

Point of Order, Mr. Chairman. I would like to take my vote back on the amendment. There would be a motion for reconsideration.

Mr. Cohen seconded the motion.

Mr. Ferlo:

Call the question on reconsideration.

Mr. Ricciardi:

Point of Clarification, Mr. President. Are we voting on the amendment again because obviously one person who voted in favor is —

Michelle Madoff:

That's correct.

The Chair:

Mr. Darkins, are you changing your vote?

Mr. Darkins:

Yes.

The Chair:

The amendment then fails. It's as simple as that.

Mr. Ricciardi:

Roll call vote on the amendment.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Wagner
(Pres't)

AYES 1

NOES 8

VOTING NO:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi

And a majority of the votes of Council not being in the affirmative, the amendment was defeated.

The Chair:

Is there any discussion on the bill itself?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Wagner
	(Pres't)

AYES 6 NOES 3

VOTING NO:

Mr. Ferlo	Mr. Ricciardi
Mr. Regan	

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo:

Mr. President, I move to make Bill No. 3178 law upon the signature of the Mayor.

Mr. Milliones:

Seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 3433

A Resolution entitled, "Resolution Repealing Resolution No. 765, effective August 8, 1991, entitled 'Resolution amending Resolution No. 706, approved July 18, 1991 entitled, a Resolution amending Resolution No. 507 of 1991, entitled, Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program so as to increase the overall 1991 grant amount from \$15,699,992.00 to \$17,734,000.00, and

reprogram these funds to the appropriate departments by reprogramming funds in the aggregate amount of \$11,111.00 under City Council and City Planning line item."
---(SPONSORED BY MR. COYNE)

Which was read.

Also,

Bill No. 3444

A Resolution entitled, "Resolution renewing Resolution No. 1313, approved by City Council on December 11, 1990 authorizing Western Manor to Convert the Existing Four-Story Building located at 2851 Bedford Avenue into 31 dwelling units for the elderly with a Resident Manager Unit, 5th Ward.

Which was read.

Also,

Bill No. 3480

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for construction of a two-story extension to existing Two-Story Service Building and Nine-Story East Tower Extension on Property owned by the Western Pennsylvania Hospital and located at 4800 Friendship Avenue, 8th Ward."

Which was read.

Mr. Cohen:

I'd like my comments brought forward on Bill 3480.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 3480, WEDNESDAY,
NOVEMBER 27, 1991)

Mr. Cohen:

Another thing that I'd like to get on the record is that
there was no neighborhood opposition to this.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 3590

Report of the Committee on General Services for November 27, 1991 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3464

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase additional Saber Radios for use in the office of (ONI), Organized Crime, Narcotics and Intelligence, Bureau of Police and providing for the payment

thereof."

Which was read.

Also,

Bill No. 3465

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Computer Equipment and Software for use in the office of (ONI), Organized Crime, Narcotics and Intelligence, Bureau of Police and providing for the payment thereof."

Which was read.

Also,

Bill No. 3466

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase a 15 Passenger Van to be used by the DARE/KID WATCH PROGRAM for Bureau of Police, Department of Public Safety, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3501

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article I - General Provisions, Chapter 103, 'Official Standards', Section 103.04, 'Marking City Vehicles'." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

Mr. Ricciardi:

On a much less controversial bill for City Council, I'd like to make a motion to amend Section 2 of Bill No. 3501 marking cars, by adding under Item B, "Chief of Fire" and "Chief of Emergency Medical Services".

Mr. Ferlo seconded the motion.

Mr. Ricciardi:

Discussion very briefly, and I'll do the bill at the same time. I have had a few productive conversations yesterday with Jim Turner and Lou DiNardo. They are waiting to move ahead on this bill concerning all City vehicles who will have a municipal plate, lettering and the logo.

They would ask me if I would exempt these two positions and, out of a spirit of cooperation with the Administration, I urge my colleagues to vote for the amendment. Thank you.

The Chair:

All those in favor of the amendment?
Opposed?

WHICH MOTION PREVAILED.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 3591

Report of the Committee on Parks and Recreation for November 27, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3238

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into an agreement or agreements with a bank for professional services in connection with the implementation of a Visa/Mastercard Payment Program to be instituted at Phipps Conservatory for payment of counter sales and permits at an annual cost not to exceed \$25,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3468

A Resolution entitled, "Resolution amending Resolution No. 86, approved February 12, 1991, effective February 25, 1991, entitled 'Providing for a Lease or Leases and/or License Agreement for the use of certain property for Senior Citizen Center facilities,' by increasing the maximum authorized amount from \$225,414.00 to \$253,572.00 chargeable to and payable from (SCPTF), (254250), Senior Citizen Program Trust Fund and including Management Agreements."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 3592

Report of the Committee on Public Safety for November 27, 1991 transmitting sundry resolutions and sundry ordinances to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 3289

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Public Safety to enter into an agreement or agreements with the Public Parking Authority of the City of Pittsburgh to enforce City of Pittsburgh on-street parking ordinances and/or the residential permit parking program."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES none NOES 9

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 3290

A Resolution entitled, "Resolution further amending Ordinance No. 217, approved April 27, 1951, as supplemented and as amended, entitled 'An Ordinance authorizing and directing the Mayor and the Director of the Department of Public Safety, on behalf of the City of Pittsburgh, to enter into an Agreement with the Public Parking Authority of Pittsburgh to provide for the loan-assignment and payment by the City of Pittsburgh of the receipts from certain parking meters upon certain terms and conditions as to the use of such funds and the repayment thereof,' by authorizing the Authority to recover the direct and indirect expenses associated with on-street meter enforcement."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES none NOES 9

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 3459

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I, Chapter 601 Public Order and Chapter 603 Parades and Crowds, by increasing certain fees."

Which was read.

Mr. Regan moved to recommit Bill No. 3459.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 3460

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Five, Chapter 525 by setting fees for release of immobilized vehicles."

Which was read.

Mr. Regan moved to recommit Bill No. 3460.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 3461

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Seven - Business Licensing - Articles III, V, and IX, Chapter 719 Vendors and Peddlers, Chapter 741 Warm Air Heating Contractors, Chapter 743 Welders, Chapter 745 Stationary Engineers, Chapter 747 Electrical Contractors, Chapter 749 Sign Contractors and 777 Mechanical Amusement Devices by increasing certain fees."

Which was read.

Also,

Bill No. 3462

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Ten - Building, Chapter 1007 - BOCA National Building Code Adoption, Article I - Administration and Enforcement, Section 114.0 Fees, Subsection 114.3 New Construction and alterations, No. 6 and No. 8, by increasing certain fees."

Which was read.

Also,

Bill No. 3500

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Emergency Medical Services Trust Fund

(EMSTF), for the deposit of monies received from the provision of ambulance and rescue services and authorizing the use of monies deposited therein by the Department of Public Safety, Bureau of Emergency Medical Services, only."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 3593

Report of the Committee on Engineering and Construction for November 27, 1991 transmitting sundry resolutions to Council

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3434

A Resolution entitled, "Resolution further amending Resolution No. 665, effective July 11, 1990, as amended by Resolution No. 1391, effective December 27, 1990, entitled, 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, for preschematic and site planning architectural services in connection with the new Public Safety Building and the possible site; and providing for the payment thereof,' by amending the title to include Design of Phase I of the Public Safety Complex and Phase I of Construction Management and by increasing the total project allocation by \$1,435,000.00 from \$820,000.00 to \$2,255,000.00."

Which was read.

Also,

Bill No. 3435

A Resolution entitled, "Resolution amending Resolution No. 1379, effective December 27, 1990, entitled 'Providing for the transfer of \$350,000.00 to the 'Public Safety Complex Trust Fund', Index Code #280107, which represents the City's share of preschematic design services of Phase I of the Public Safety Complex, which includes the Public Safety Building, a courts' facility and the initial stage of a Parking Authority garage,' by amending the title of this Resolution to include Construction Management and by increasing the total amount transferred by \$755,000.00 from \$350,000.00 to \$1,105,000.00."

Which was read.

Also,

Bill No. 3436

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by increasing EC 91-525 (Public Safety Complex) by \$6,800,000.00 from \$2,500,000.00 to \$9,300,000.00."

Which was read.

Also,

Bill No. 3437

A Resolution entitled, "Resolution amending Resolution No. 627, effective July 3, 1991, entitled 'Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority, for the City's share of site remediation costs at the Public Safety Complex; and providing for the payment of the cost thereof,' by amending the title to include land acquisition costs, by providing for a Supplemental Agreement or Agreements, and by increasing the total project allocation by \$6,045,000.00 from \$2,500,000.00 to \$8,545,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 3368

A Resolution entitled, "Resolution amending Resolution No. 599, effective July 29, 1988, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for the Reconstruction of the Burgwin Playground; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$7,916.45 from \$75,000.00 to \$67,083.55."

Which was read.

Mr. Coyne:

Mr. Chairman, I'd like to make a motion to recommit that bill and also, if Mr. Perry could ask the Director of Parks to be here tomorrow to discuss the bill rather than Mr. Sciulli of Engineering.

Mr. Milliones seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 3486

A Resolution entitled, "Resolution authorizing the Mayor, the Director of Engineering and

Construction and the Director of General Services to enter into an agreement or agreements amending the May 2, 1991 Cooperation Agreement between the City, the County of Allegheny, the Urban Redevelopment Authority of Pittsburgh and the Public Parking Authority of Pittsburgh regarding the Public Safety Complex to provide for the granting of easements to each party over their respective parcels, to provide for the quitclaim of certain property interests received by the City from the Pennsylvania Department of Transportation and to provide for the installation of building connections and utility lines and authorizing the execution of related real estate instruments."

Which was read.

Also,

Bill No. 3487

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements between the City and the Public Parking Authority of Pittsburgh to provide for the transfer of funds from the Parking Authority of Pittsburgh to provide for the transfer of funds from the Authority to the City in connection with the development of the Public Safety Complex and to otherwise implement the responsibilities of the City and the Authority under the May 2, 1991 Cooperation Agreement between the City, the County of Allegheny, the Urban Redevelopment Authority of Pittsburgh and the Public Parking Authority of Pittsburgh."

Which was read.

Mr. Cohen:

Mr. President, I'd like my remarks brought forward on the Public Safety bills.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NOS. 3434 thru 3437 & 3486 and 3487)

Mr. Cohen:

And will the trust fund itself, will it be used for salaries?

Mr. Turner:

Yes.

Mr. Cohen:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Regan

Mr. Coyne

Michelle Madoff

Mr. Milliones

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

And on the motion of Mr. Milliones

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, December 10, 1991

No. 48

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER.... Asst. City Clerk

Pittsburgh, PA
Tuesday, December 10, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

This resolution pertains to a very unique idea that has come up from a group of towing companies and I'd like to ask the following individuals to please step forward, and anyone that is with them: Bob McGann and Bill Chester of McGann & Chester Towing; Duane Dady from Dady Towing; James Feller from Feller's Garage; Peter Herwitt from Herwitt Towing; Melvin Blumer from Mel's Towing; and Mike Tarquinio from Tarquinio Towing; and anyone else that may be with us here today.

Good morning, gentlemen, and welcome to City Council.

The Chair presents

No. 3604 WHEREAS, Towing Operations Working to Eliminate Drunk Driving, T.O.W.E.D., will be offering free rides home to people in need of assistance from 7:00 p.m. New Year's Eve through 7:00 a.m. New Year's Day; and

WHEREAS, T.O.W.E.D. is offered as a community service and assisted more than 15,000 vehicles and their drivers nationwide in 1990, saving hundreds, perhaps thousands of lives, and earning national acclaim including "The President's Citation for Private Sector Initiative"; and

WHEREAS, sponsors of the Towing Operations Working to Eliminate Drunk Driving in the Pittsburgh area consist of the following: Bob McGann and Bill Chester of McGann & Chester Towing; Duane Dady from Dady Towing; James Feller from Feller's Garage; Peter Herwitt from Herwitt Towing; Melvin B. Blumer, Jr. from Mel's Towing; and Mike Tarquinio from Tarquinio Towing; and

WHEREAS, people wishing to avail themselves of this service should call 381-9400 and a tow truck will be sent to their location. No fees will be charged for this service with the only requirement being that you must be taken home and your vehicle must be operable; and

WHEREAS, while no fees will be collected for this service, voluntary donations could be made to The Make-A-Wish Foundation of Western Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the Towing Operators Working to Eliminate Drunk Driving and extends a thank you to the companies and individuals who provide their resources and time for this valuable community service.

Mr. Millions moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I, again, would like to thank all of you here today that have voluntarily put forth the time and the effort of your companies, your employees, your equipment, to hopefully and possibly save some lives, some injury, some property loss here in the City of Pittsburgh and this region on New Year's Eve and New Year's

Day.

Again, just a reminder to the public, if you think you had too much to drink on New Year's Eve, you simply have to call the number which is 381-9400. One of these individuals will arrive and will not only drive you home but will tow your car home. So, in fact, what they're doing is taking someone that may have had a little too much to drink off the road and certainly performing a tremendous public service. Again, we appreciate this very much.

To speak for the group is Mr. Bill Lauris, Public Relations Director for McGann & Chester Towing.

Mr. Lauris:

Thank you very much. On behalf of this group, I would like to extend our gratitude to City Council for giving us this resolution here today. It is indeed our hope that we are able to save people's lives who are definitely innocent in this matter. This is a novel way of doing so and, of course, we hope that the community does get this message that there is somebody out there who does want to help them if, indeed, they are too drunk to drive home.

Again, that number is 381-9400. Thank you again.

The Chair presents

No. 3605 WHEREAS, Larry J. Yatch is one of the most dedicated civilian servants in the City of Pittsburgh; and

WHEREAS, Larry J. Yatch, along with serving the City of Pittsburgh, also served his country in the U.S. Marine Corps; and

WHEREAS, Larry J. Yatch graduated from Duquesne University as an Attorney at

Law; and

WHEREAS, Larry J. Yatch served as a delegate to the Democratic National Convention from 1984-1988; and

WHEREAS, Larry J. Yatch has served and rose to the rank of Vice-President of the Democratic National Committee, has also served as Chairman of the Pennsylvania State Committee from 1986-1991 and rose to the highest rank in the Democratic Party; and

WHEREAS, Larry J. Yatch, a young man from New York, married a Pittsburgh native, Jan, and has twin children, Larry Jr. and Kimberly, and resides in Highland Park; and

WHEREAS, Larry J. Yatch has achieved many milestones in his life to help make Pittsburgh a better place to live and work; and

WHEREAS, Larry J. Yatch is leaving his position as Democratic State Chairman to move into another phase in his prestigious career.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the dedication of Larry J. Yatch to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby proclaims December 6, 1991 as "Larry J. Yatch Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones presented

No. 3596 Resolution providing for the

issuance of a warrant in favor of F. Douglas Ligons, 317 N. Craig Street, Apt. 104, Pittsburgh, PA 15213, in the amount of \$2,500.00 in payment for professional services rendered to Councilman Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Council District #6, City Council.

---(SPONSORED BY MR. MILLIONES)

Which was read and referred to the Committee on Finance.

Mr. Regan presented

No. 3597 Resolution providing for the issuance of a warrant in favor of The Kaiser Group, One North Shore Center, Suite 105, Pittsburgh, PA 15212, in the amount of \$1,200.00, in payment for professional consulting services rendered to Councilman Bernard J. Regan, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District #1, City Council. --- (SPONSORED BY MR. REGAN)

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 3598 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219 in the amount of \$1,600.00, in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of December 1991. --- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 3599 Resolution providing for the issuance of a warrant in favor of Xerox Corporation, The Gateway Centre, Xerox Square 870-87L, Rochester, NY 14664, in the amount of \$3,762.00, for the purchase of a Facsimile machine in the Office of City Council, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies, Equipment, etc., Council District #4, City Council.

—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3600

Report of the Committee on Finance for December 4, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3488

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$4,210.00

to Edward W. & Jane Williams c/o Henry Miller, III, Esquire, their attorney, 1705 Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219 in full and final settlement of an alleged accident involving a City Emergency Medical Service vehicle at Brownsville Road and Margaret Street in the Mt. Oliver section of the City of Pittsburgh on or about September 4, 1988."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3489

A Resolution entitled, "Resolution transferring the aggregate amount of \$45,000.00, forty-five thousand dollars, from Code Account 1048, Index Code 104802, Miscellaneous Services, \$6,000.00 from code Account 1048-1, Index

Code 104810, Education & Training, \$4,000.00 from Code Account 1051, Index Code 105106, Equipment, \$29,000.00 and from Code Account 1052, Index Code 105205, Inspection, \$6,000.00 Office of the City Controller, to Code Account 1046, Index Code 104604, Salaries, Regular/Temporary Employees, Office of the City Controller."

Which was read.

Also,

Bill No. 3490

A Resolution entitled, "Resolution providing for an agreement or agreements with a consultant or consultants for consulting services to assist the City of Pittsburgh in acquiring state assistance and funding and to work with various agencies of government for the benefit of the City of Pittsburgh during 1992, at an aggregate cost not to exceed thirty-thousand dollars (\$30,000.00) chargeable to and payable from Code Account 1017, Index Code 101709, Miscellaneous Services, Mayor's Office."

Which was read.

Also,

Bill No. 3491

A Resolution entitled, "Resolution designating Banks and Lending Institutions to act as Depositories for the year 1992 in accordance with the Pittsburgh Code, Title Two-Fiscal, Article III, Depositories."

Which was read.

Also,

Bill No. 3492

A Resolution entitled, "Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 3493

A Resolution entitled, "Resolution Repealing Resolution No. 980, Item F, effective October 25, 1991, which repealed Resolution No. 959, Item H, effective December 4, 1989, which authorized the sale of 2-1/2 story, frame and shingle house on a lot 20' x 110', located at 2126 Eccles Street, 16th Ward, Block 13 K, Lot 28, to Linda D. Roeper & Herbert W. Roeper, III, her husband, for the sum of \$1,500.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3502

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Penn Medical Supply Company in the amount of One Thousand Nine Hundred Ninety Five Dollars (\$1,995.00) in payment for one Combo Outpatient Cool Spot Light furnished for the Veterinary Hospital at the Pittsburgh Zoo without previous authority of law, payable from Code Account 1859, Index Code 185900, Equipment, Department of Parks and Recreation, The Pittsburgh Zoo."

Which was read.

Also,

Bill No. 3503

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Geyer Printing Company Inc., in the amount of Ten Thousand Dollars (\$10,000.00), in payment for the printing of the summer magazine furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3504

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Chance Rides Inc. in the amount of Seven Hundred Ninety Eight Dollars and Fifty Two Cents

(\$798.52) in payment on a compressor furnished for the train at the Pittsburgh Zoo without previous authority of law, payable from Code Account 1859, Index Code 185900, Equipment, Department of Parks and Recreation, The Pittsburgh Zoo."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3505

A Resolution entitled, "Resolution transferring the aggregate amount of \$600,000.00 to various code accounts from Code Account SPP (254359), Special Parks Program the amount of \$100,000.00 from Code Account SSFSP (270256), Special Summer Food Service Program the amount of \$500,000.00 in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 3506

A Resolution entitled, "Resolution transferring the amount of \$8,000.00 from Code Account 1859, (185900), Equipment, Pittsburgh Zoo to Code Account 1853 (185306), Utilities, Pittsburgh Zoo in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 3507

A Resolution entitled, "Resolution transferring the aggregate amount of \$150,000.00 from various code accounts to Code Account 1818, Index Code 181800, Wages Regular and Temporary Employees in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 3508

A Resolution entitled, "Resolution transferring the aggregate amount of \$200,000.00 to Code Account 1803, Index Code (180307), Utilities in the Department of Parks and Recreation the amount of \$150,000.00 from Code Account 1982 (198200), Miscellaneous Services, Distribution Division in the Department of Water, and the amount of \$50,000.00 from Code Account 1800-1, Index Code 180018, Premium Pay in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 3509

A Resolution entitled, "Resolution authorizing the transfer of funds in the amount of \$2,500.00 from Code Account 1800, Index Code 180000, Salaries, Regular Employees to Code Account 1828, Index Code 182808, Salaries and Wages, Point State Park, all in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 3536

A Resolution entitled, "Resolution amending Resolution No. 1043, effective November 25, 1991, entitled 'A resolution authorizing the Director of Finance to issue and the City Controller to countersign a warrant in favor of vested employees for the payment of unused sick time', by deleting the word 'vested' and by defining 'eligible' as employees who have been employed by the City of Pittsburgh for not less than eight (8) years."

—(SPONSORED BY MR. COYNE)

Which was read.

Also,

Bill No. 3537

A Resolution entitled, "Resolution providing for the transfer of funds totalling \$50,000.00 (fifty thousand dollars) to Salaries, Regular Employees, Code Account 1167, Index Code 116707, from Salaries and Wages, Regular Employees, Code Account 1166, Index Code 116608, all accounts within the Department of Environmental Services. This transfer is

necessary to continue to pay for Salaries, Regular Employees until the end of the year."

Which was read.

Also,

Bill No. 3538

A Resolution entitled, "Resolution providing for the transfer of funds totalling \$20,000.00 (twenty thousand dollars) to Salaries, Regular Employees, Code Account 1160-1, Index Code 116012, from Wages, Regular Employees, Sick Leave, Code Account 1169, Index Code 116905, all accounts within the Department of Environmental Services. This transfer is necessary to continue to pay for Salaries, Regular Employees until the end of the year."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3562

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pamela A. Smoot, 1838 Arcena Street, Pittsburgh, PA 15219, in the amount of \$5,666.66, in payment for professional consulting services rendered to Councilman Jake Milliones." ---**(SPONSORED BY MR. MILLIONES)**

Which was read.

Also,

Bill No. 3563

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Arthur L. Young, 3134 Terrace Street, Pittsburgh, PA 15213, in the amount of \$3,000.00, in payment for professional consulting services rendered to Councilman Jake Milliones." ---**(SPONSORED BY MR. MILLIONES)**

Which was read.

Also,

Bill No. 3564

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mark C. Southers, 3406 Webster Avenue, Pittsburgh, PA 15219, in the amount of \$2,500.00, in payment for professional consulting services rendered to Councilman Jake Milliones." ---**(SPONSORED BY MR. MILLIONES)**

Which was read.

Also,

Bill No. 3565

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Salim Howze, 152 Reed Roberts, Pittsburgh, PA 15219, in the amount of \$75.00, in payment for professional consulting services rendered to Councilman Jake Millions."

—(SPONSORED BY MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Millions:

Mr. President, I move that Bills 3562 through 3565 become law upon the signature of the Mayor.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Mr. Darkins presented

Bill No. 3601

Report of the Committee on Public Works for December 4, 1991 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3539

A Resolution entitled, "Resolution granting unto Alexanders Restaurant, Alexander F. Colaizzi, owner, at 5104 Liberty Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the sidewalk on Liberty Avenue in the 8th Ward, 8th Voting District, of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3540

A Resolution entitled, "Resolution granting unto Mark Cardamone-Rayner, 51 S. 12th Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an extension to his sidewalk cafe on a portion of the sidewalk of Diamond Square and S. 12th Street in the 17th Ward, 3rd District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 3602

Report of the Committee on Planning, Housing and Development for December 4, 1991 transmitting sundry ordinances and two resolutions to Council.

Bill No. 2614

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine 'Zoning', by creating new rules and regulations for the A1 Commercial-Residential Associated District and by revising the type of occupancy and occupancy exceptions allowed in the C3 Commercial District." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Cohen:

On Bill 2614, involving amendments to

the A-1 C-3 portions of the Zoning Code, I want to say a few words about it.

I support the C-3 portion of the Code because I think it tightens up the commercial code pretty well.

On the A-1 part, though, I can't support that. I think, as all of us know, right now all businesses that want to move into A-1 zones have to get a special exception from the Zoning Board. That's the current rule. The reason is that A-1 zones, like Walnut Street in Shadyside or Carson Street on the South Side or Western Avenue on the North Side, are very special areas because they are an intermixture of commercial and residential.

I think the Administration's original proposed bill was a terrible bill because it added uses of right in A-1 zones and basically changed it from a special exception to just an administrative exception where the Zoning Administrator would stamp an approval of those businesses without any opportunity for community groups to express their views on that subject.

I want to commend Councilman Ferlo because Councilman Ferlo's amendments to this bill are good amendments in the sense that they definitely improve the Administration's bill by allowing for appeals to the Zoning Board where the Zoning Board will take into account detriment to the neighborhood. But it's still not good enough, from my point of view, because what happens is the burden of proof shifts to individuals and community groups that want to protest businesses that go into A-1 zones.

So, although this is a definite improvement over the Administration's bill, and I commend Councilman Ferlo for it, my problem with this is that community groups and individuals really have more of a burden now to

oppose businesses that might come into A-1 zones than they did before.

I'll give you an example. Here's a business that was just approved by the Zoning Board in A-1 zone in Walnut Street involving a restaurant that they allowed to be open until 2:00 in the morning, seven days a week, that's 20 feet away from a residential home. That's just the type of thing that we have to be vigilant about and have community groups be able to object to and have the Zoning Board come up with a reasonable compromise.

Again, although I think this bill is an improvement, it does put a greater burden on community groups and for that reason I can't support it.

Michelle Madoff:

Mr. President, may I address my colleague?

Councilman Cohen, would you make a recommendation as to what we might do? Do you want to hold the bill? What can we do to improve it? I concur with your position that it has improved greatly over what the Administration gave, but that is a real problem that I have had forever.

Mr. Cohen:

I think if you disagree with it you should vote against it.

Michelle Madoff:

That's not the point. Is there any way we could hold it a week and improve it and sort of work something out?

Mr. Cohen:

It's not my bill. The sponsor of the bill would have to do that.

Mr. Ferlo:

Mr. Chairman, we've worked for over nine months to improve the bill and it happens to be a very good bill. It happens to correct a long-standing problem with the A-1 zone, that being first of all that there's no use by right. I believe it's unheard of and probably even questionable from a legal point of view that property at least doesn't have some formal right when one acquires property or proposes a use of that property. But the bill would expedite many of the approval processes that go through the City Planning Department or Board of Adjustment.

As the Zoning Administrator pointed out, close to 90 percent of the uses in the A-1 zones have no objection. There's no reason for them to wait months on end for the approval process on special exception or getting the approval of the occupancy of its use.

What's important about this bill is that we still maintain safeguards for adjoining property owners, neighborhood groups and others who want to legitimately protest any business due to detrimental effect on their community. We safeguard that with a 15-day protest appeal.

This bill is timely, it's appropriate, it's fundamentally different than the first Administration bill which pretty much stripped the ability of the community or adjoining property owners to have any presence in arguing detrimental impact. It's a good bill and I would hope that we would resolve it by voting it up or down.

Michelle Madoff:

If you would bear with me because it's very important, would you please clarify something for me, Mr. Ferlo.

You heard Councilman Cohen talk about somebody having a public nuisance operation next to their private home until 2:00 in the morning, seven days a week. How would the bill, as you amended it with a 15-day appeal, rectify that grievous wrong? Would you explain how that would work? I'd be interested.

Mr. Ferlo:

Mr. Chairman, we have debated this bill, it's been the subject of two public hearings. I'm not going to —

Michelle Madoff:

I don't think that's an unfair question. I'm saying, could you give me an example of how that would be addressed. I'm not being facetious. I'm very serious. I want to know how I should vote for it.

Mr. Ferlo:

If this bill creates a situation where the Zoning Administrator will give approval, a community group and/or an adjoining property owner or anybody else who is affected can file a formal protest to the Board of Adjustment and argue detrimental impact regarding that approval either of the business that you mentioned or the use or whatever is involved.

Michelle Madoff:

Thank you.

Now may I ask Mr. Cohen, why was that not done?

Mr. Cohen:

In this instance — Remember, right now every individual or group has to get a special exception so that was done in this instance and the Zoning Board opposed that objection.

Mr. Ferlo did improve the Administration's bill so that —

Michelle Madoff:

You're not answering my question. The question is, why did this particular —

Mr. Cohen:

I did answer your question. This individual person objected before the Zoning Board, the Zoning Board rejected her objection I think incorrectly, and the person is appealing. But the problem is that we need to retain that ability to reject.

What Mr. Ferlo has done has added an amendment which allows community groups to object but, in my view, not early enough and it shifts the burden to that group.

So, again, this amendment I think is much better than the original bill but I'm concerned that community groups are going to have a greater burden.

Michelle Madoff:

I'm not going to belabor the point, but it seems to me that if 15 days is not enough, we could make it 30 and that would solve the problem and then we could just go on voting with the bill. That's what I'm respectfully asking, that we just give it extra consideration.

And also, Mr. Cohen, it seems to me that

people know what's coming on and they should start, even if they have 15 days, to start earlier. I don't want to kill a bill that's going to improve things just because people aren't on their toes either.

The Chair:

But you would need an amendment at this time--

Michelle Madoff:

No, I was hearing of a specific episode and wanted to get it clarified and it has now been clarified.

Mr. Ricciardi:

Mr. President, currently in the City of Pittsburgh we have 16 A-1 districts. Two in particular are in my Councilmatic district, East Carson Street and Warrington Avenue in the Allentown area. I am in full support of this bill.

Basically, what we're doing is separating nuisance-type of establishments away from establishments that are welcome in the neighborhood. As a matter of fact, if you look at the list, see what is allowed under Use by Right, and what is still going to be a special exception meaning a person must go in front of the Zoning Board of Adjustment, you will see the delineation of both. Statistics show that over 90 percent of the cases that are unopposed are the cases that are now going to the Use of Right.

I think it's also important for myself as an elected representative of my district my priority being the residents, but also realizing as a responsible elected official that it's very important for us to help small businesses flourish. And under the current system, at times it could be two, possibly three months before business can move into an A-1 district. We all know what it

means in terms of getting a lease, getting everything in arrangement.

So, I feel comfortable in this obviously and I will state this publicly. There are community groups in my district that are opposed to this, but I think it's the right thing to do. I think it's still going to protect the inter-mixture of residential and commercial uses in my A-1 zones and still allow small businesses to flourish. Apparently from the small business district, according to my Finance Department, we're up over five, six, seven million dollars in Business Privilege Tax.

So, we all like to say that we want to help small businesses flourish because of those taxes, because of those employments, but at the same time I think we have to do something and extend a hand to help them and I'm prepared to vote for this bill today. Thank you.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 2

(MR. COHEN AND MR. COYNE VOTING NO)

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Also,

Bill No. 2830

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine Zoning; by revising the Text of the Riverfront Overlay District creating Preservation, Conservation and Development Sub-Districts; by revising the boundaries of the riverfront zoning district map to include: the preservation, conservation and development sub-district boundaries; by specifying parking provisions for marina and boat launch facilities and by providing Conditional Use Exceptions and Administrator Exceptions for development in the Riverfront Sub-Districts."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3443

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, 'Zoning', Chapter 911 'Fee Schedule', Section 911.01 'Fees Established' by increasing fees." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

Mr. President, in regards to Bill 3443 which is the establishment and increase of a number of fees in the City Planning Department, there are a couple of amendments. You have offered one, Mr. President, regarding the helicopter landing area; and secondly, there's an amendment regarding the \$10 community organization fee.

Basically, at the advice of the Law Department, they wanted a specific reference and you have it on the table. The three sections in the Zoning Code that imply that the Zoning Administrator has the responsibility of communicating to respective merchants and/or community organizations in the area. Accordingly, I'd like to move the amendment as you have it regarding the \$10 fee.

Mr. Coyne seconded the motion.

Mr. Ricciardi:

Opposed.

WHICH MOTION PREVAILED.

Mr. Ferlo:

On the second, Mr. Wagner, you have proposed an amendment which I'll offer on your

behalf. The helicopter landing fee, the Administration was proposing \$150 to \$2,000. This is not the yearly inspection which is a separate fee that we need to establish under the Bureau of Fire. This is just going through the conditional use process regarding permitting. Your amendment is to raise it from \$150 to \$3,000 which more appropriately addresses the expense involved in permitting the facility. I'd like to make that motion.

Michelle Madoff:

Second for discussion. Whoever did my copy gave it to me with something scratched out underneath and I can't read it.

Mr. Ferlo:

It's from \$2,000 to \$3,000.

Michelle Madoff:

But what was it before?

Mr. Ferlo:

It was \$150.

Michelle Madoff:

What I have here is \$150 to \$5,000.

The Chair:

There was an error in that.

Michelle Madoff:

That's why I'm asking. So, the scratch out was not because it was supposed to be \$5,000 and we lowered it, it's that we're raising it from \$150 to \$3,000 with which I concur. Thank you.

Mr. Coyne:

Just for clarification, Mr. President. What is the yearly fee for inspections?

The Chair:

The inspection fee, I believe, is \$200 but it falls under Public Safety.

Mr. Ferlo:

And the Bureau will go out occasionally and perform activities at helicopter landing pads such as checking the fire extinguishers and they're billed separately. But there needs to be an overall yearly fee and that will be coming up later on in the budget.

Mr. Coyne:

Thank you, Mr. Ferlo.

Mr. Cohen:

On that issue, Mr. President. I think we should look closely at that because what we're voting on here is just a one-time fee, right?

Mr. Ferlo:

Yes.

Mr. Cohen:

And there are yearly expenses to the City, so I think we should look at that down the road.

Mr. Ferlo:

I agree.

The Chair:

On the amendment, those in favor?

Opposed?

WHICH MOTION PREVAILED.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 7 NOES 2

(MR. REGAN AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3481

A Resolution entitled, "Resolution amending Resolution No. 507, effective May 30, 1991 as amended by Resolution No. 706, 956 and Bill No. 3382 (Resolution No. ____ of 1991), for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program, so as to reprogram funds under City Council to the Development of City Planning."

—(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 3553

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application to the Pennsylvania Department of Community Affairs for the designation of the Hazelwood/Hays and a portion of the South Oakland Area of the City of Pittsburgh as an Enterprise Zone."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 3603

Report of the Committee on Public Safety for December 4, 1991 transmitting sundry ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3482

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 543 - Parking Meters, Section 543.01, Parking Meter Zones, by providing uniform hours of enforcement of metered parking on City streets."

—(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Also,

Bill No. 3459

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I, Chapter 601, Public Order and Chapter 603 Parades and Crowds, by increasing certain fees." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

With Mr. Regan's permission, I'd like to ask that the bill regarding the parade permits be recommitted for further discussion.

Mr. Coyne seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 3460

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Five, Chapter 525 by setting fees for release of immobilized vehicles."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I need a motion to cablecast the public hearing tonight pertaining to the Public Safety 911 Plan.

Mr. Regan:

So moved.

Mr. Ferlo seconded the motion.

Michelle Madoff:

Question on that. My understanding is that there is only one person testifying.

The Chair:

So far there is. There's only one person signed up to testify; however, people will still have the opportunity to testify up until the time of the public hearing.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Mr. President, I don't want to get into a

lengthy debate about this. I have my own strong views on the issue of School Choice. But I am concerned, and there was discussion that we raised earlier regarding the activities of our lobbyist, Mr. Kohling, and I don't pretend to understand or even know what the position of Commissioner Foerster is on this issue. Personally, I think it's a disaster and I won't go into length about it. But I am concerned.

I'd like to ask that we communicate to the Administration and specifically to Mr. Kohling to ask the Administration what is their position in lobbying in Harrisburg regarding this bill. Granted, we are not the School Board but, as all of us are elected officials representing communities, the proposed system would have a monumental impact regarding the quality of life in our neighborhoods as it relates to public education or even the lack of public education.

I'm concerned. I really want to know how the Administration is postured regarding this legislation in Harrisburg and what are the activities of Mr. Kohling regarding this bill. So, I'd like to ask that that letter be sent.

Mr. Regan:

Mr. President, I personally resent, absolutely resent, my colleague's remarks and I think it's the right thing to do to choose your own school.

Mr. Ferlo:

You don't have to resent it, just debate it.

Mr. Regan:

I do resent it.

The Chair:

Let me clarify something. At this point

there is not an issue in front of Council to debate the School Choice issue.

Mr. Ferlo individually is asking the Administration for their opinion on the issue. That does not necessarily reflect the opinion of Council.

Mr. Ricciardi:

Clarification on that motion, Mr. President. That was my question. Is Mr. Ferlo stating a position in the letter or a request --

Mr. Ferlo:

I'm asking, what is the Administration's posture and what is the posture of Mr. Kohling as a paid lobbyist as it relates to this very important issue, regardless of what the position of Councilmembers happens to be.

Mr. Ricciardi:

If the motion stops there, I will support the resolution put forth by Mr. Ferlo.

The Chair:

Is that in the form of a request or a motion?

Mr. Ferlo:

I'll make it in the form of a motion. I mean, we can't ignore a very important issue like this. I'd like to know what the Administration and Mr. Kohling are up to regarding this issue.

If we're concerned about property taxes, let's lay it on the table. We're going to be concerned about School Board issues. This is not something we can hide our heads in the sand about.

The Chair:

I would recommend that you communicate individually, unless you want to put it to a motion.

Mr. Ferlo:

I would ask for a motion that we communicate to the Administration regarding their posture. I'm not stating a position on the issue other than my own personal views.

Mr. Milliones seconded the motion.

Mr. Regan:

Mr. President, he already stated his position on the issue when he said that it would be disastrous. That was my only reason that I made my remark.

This is no business of City Council. If he wants to write as an individual or get on the telephone and call the Administration, I think that's his business. But I don't think it's a matter for City Council to tell the School Board or anybody else how to run the schools.

Mr. Ferlo:

Can I restate the motion? Setting aside the issue of Jim Ferlo's opinion about the School Choice, which is a disaster, setting aside that issue, and setting aside Mr. Regan who supports School Choice, which is terrible, setting that aside, my simple motion is to communicate to the Administration in writing and to Mr. Kohling and purely ask them what is their posture and position as it relates to this issue. Pure and simple.

The Chair:

The purpose being?

Mr. Ferlo:

I'll know the purpose once I get a response to that issue.

The Chair:

I think the purpose is as important as the issue.

Mr. Ferlo:

I think it's legitimate to know what the activities are of Mr. Kohling as a paid consultant regarding this issue. I think it's also legitimate to ask the Administration what position they're taking on this issue, by all means.

Mr. Milliones:

I think Mr. Ferlo has a legitimate request. I think it's an issue that will impact on the State budget, on State government, and consequently on this City. And I think because Mr. Kohling has responsibilities and duties, it's important to simply know what the City's position is, apart from what our individual views are.

The Chair:

I would like us not to debate the issue here because I think for Council to debate the issue is not giving justice to the issue at this stage.

Mr. Regan:

I don't think that Mr. Ferlo's remarks were fair because he stated a position and then asked for a motion, which I don't think is fair. We don't run the School Board of the City of Pittsburgh, why are we going to run the School Board for the State of Pennsylvania or the school system. We have enough problems handling City government, let alone trying to run the schools. In that case, in two years I haven't heard one word

about the School Board of the City of Pittsburgh in Council. Now, because it's private and Catholic schools, especially the Catholic schools, and that's who they're shooting at. There's no way that I can stand by and represent a community like the North Side that has so many private schools, that I can sit here and let a Councilman make smart remarks like he made when City Council has nothing to do with the educational system of this City or the State of Pennsylvania.

I personally resent his remarks and I don't mind saying it. And I ask my colleagues to vote no on his motion for that particular reason.

The Chair:

Let me diffuse this issue a little bit. I have very strong feelings also about that School Choice Voucher Program. I'm not expressing them. I don't think that's the issue here.

I have some other very strong feelings about the Pittsburgh School Board, the cost of it. I'm not expressing them here.

There is simply a request for information and I would hope the vote would just be that and would only reflect that. If that information wants to be utilized for other purposes, I would hope it would come back to this Council and we'll debate the issue at a later time.

Mr. Ferlo:

That's exactly what I'm proposing.

Mr. Regan:

Then I would ask, Mr. President, that the Council state their position on all City of Pittsburgh, any bill or any vote that comes up, I would like Council to state their position on that also.

The Chair:

If there's a motion on the floor pertaining to such a bill, we would. At this stage we're only requesting information.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 4 NOES 2

(MR. REGAN AND MR. RICCIARDI
VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Cohen:

Mr. President, I know all of us are very concerned about the closing of the Fort Pitt Bridge in 1994. I was very disturbed to read that it looks as if there's going to be a delay in the repair and improvement of the Smithfield Street Bridge because of the closing of the Fort Pitt Bridge. The Smithfield Street Bridge is an embarrassment right now when it should, in fact, be a gem for the City because it's such a historically valuable bridge.

After talking to people in Engineering

and Construction about this issue, it looks as if PennDOT is going to be delaying the improvement of that bridge because of the closing of the Fort Pitt Bridge. I understand that you don't want both of them to be shut down at the same time, but the answer is not to delay the improvement of the Smithfield Street Bridge but rather to expedite it and get it down now before 1994 so that we can have the Smithfield Street Bridge in a much better condition.

The surface of the bridge is just terrible and, moreover, only half the bridge is being used for traffic. The other half has railroad tracks on it that should be pulled and be used for traffic as well.

So, I guess I would like to make a motion to send a letter to Henry Nutbrown of PennDOT to ask that they expedite the improvement of the Smithfield Street Bridge so that that can be done in advance of the Fort Pitt Bridge and actually alleviate some of the chaos that that's going to create.

Mr. Millions seconded the motion.

The Chair:

I have one comment. I thank you for putting that motion on the floor. We were all under the impression that the Smithfield Street Bridge was to be completed prior to the construction of the Fort Pitt Bridge and certainly the recent news in the last two days is very alarming.

I would request also that we send a copy of that letter to Howard Jerusalem, the Secretary of Transportation, the Governor, and our entire Allegheny County Delegation of State Senators and State Representatives.

That project should move forward immediately and be completed prior to 1994.

Mr. Milliones:

It seems to me also that this is also an important time for them to perhaps consider your idea of the Wabash Tunnel. All of these issues are related. The closing of the Fort Pitt Bridge, the condition of the Smithfield Street Bridge, all relate to the airport eventually. And it seems that more attention needs to be paid to that issue because it affects the entire City as well as the region.

Mr. Cohen:

Why don't we include that in the letter?

The Chair:

We'll do so. All in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ricciardi:

Mr. President, over the last few days I have been very concerned about the impact or the possible impact of closing the County Lab to the City of Pittsburgh.

Yesterday during the budget hearings I had an opportunity to ask Chief DeRoy how that would impact the City of Pittsburgh in prosecuting our cases. I believe his quote was that it would be a disaster because it's 180 days before we go to court on some of these matters and, under the proposed system, the evidence, including weapons would have to go out to Greensburg. He believes that the overburden of work from that lab from the surrounding counties would just slow everything down.

I then proceeded to ask Director Cannon if in any way he had discussions with the Administration, in particular Mayor Masloff, on

the subject and he said he had not. I think this is a subject that we should pursue. I'm sure the Administration is pursuing it, but I think a letter of our concern to Mayor Masloff on this and if she could work with the County Commissioners and hopefully maybe our own lobbyist, Chuck Kohling, just to see what the position of the Administration is on this. I'd like to make that in the form of a motion.

Mr. Milliones seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ricciardi:

One last point, Mr. President. I believe a few weeks ago Michelle Madoff had a letter going to Pete Flaherty, Commissioner of Allegheny County, and there was a response. I would like to make that response part of the City Record. I'd like to make a motion for that.

Mr. Regan seconded the motion.

The Chair:

It was an excellent response.

Mr. Ferlo:

And a long one.

WHICH MOTION PREVAILED.

(LETTER FROM COMMISSIONER FLAHERTY)

November 27, 1991

The Honorable Jack Wagner
President of City Council
510 City-County Building
Pittsburgh, PA 15219

Dear Jack:

Thank you for your letter of November 20 and the attached quote from Clapp's Quotation.

Fortunately, many changes have occurred since that quote. In the eight years I have been here, there have been numerous areas of City-County cooperation.

When I came to this office, the only major City-County joint funding project was the Civic Arena. As you know, the City and County each pay one-half the debt service. Since I have been with the County, there has been a substantial expansion and other capital improvements placed in the Arena, with equal participation by the County with the City.

Bear in mind, the County gets no revenues in return, whereas, the City gets a 10% amusement tax plus the parking tax. The present annual debt service paid by the County is \$941,483.

When Mayor Caliguri bailed out the Pirates with a \$20 million loan, he sought my assistance and asked the County to pay one-half the annual debt service. I led a resolution before a divided board, and by a two-to-one vote, we passed it and have paid the City \$426,000 each year since 1987. The County receives no revenues, but again the City gets a 10% amusement tax and parking tax. This cooperative agreement helped keep the Pirates in Pittsburgh and the improvements in the lease have aided the subsequent increase in attendance.

During my two terms with the County, we have shared equally with the City on the \$7.5 million in improvements at the Benedum. The present annual debt service paid by the County is \$240,935. More recently, the County has shared

equally in Pittsburgh's Cultural District with the improvements and re-opening of the Fulton with a grant of \$200,000. Again, the City will receive 10% in amusement taxes and parking taxes on these facilities and these facilities will trigger further development in the lower triangle.

During the past 8 years, the County has dramatically increased its annual budget for the Carnegie Library and Institute from \$3,487,234 in 1983 to \$5,675,000 in 1991. Bear in mind that the main Library, the Institute, and the library branches are all located within the City limits. The Carnegie's library service in the County is basically a bookmobile which provides limited service two afternoons a month. On the other hand, a City resident in Squirrel Hill has the convenience of a fully staffed branch library six days a week and the main branch is 1.5 miles away.

The new Carnegie Science Center recently opened on the North Side. The County came through with a \$475,00 grant in 1991. According to Director Wilburn, the City will collect \$375,000 in revenues annually from amusement and parking taxes. It will add another gem to the cultural life in the heart of the City.

The Convention Center in Downtown Pittsburgh helps generate business and fosters development Downtown and the Strip. The County is, through the Civic Auditorium Authority, sharing equally with the City on operational costs and debt service.

More recently, I had the pleasure of working with the City officials and the Mayor on the new County Jail Complex, which will be built in proximity to the City's new Public Safety Building. When both facilities are built, the City will no longer need its own lock-up. This cooperative venture will result in a savings of approximately \$1 million per year for the City.

Eight years ago the County opened the four regional Kane Centers. Prior thereto, City residents at Kane were placed in the old Kane Hospital near Bridgeville. It was difficult for many patients to be far removed from the inner city and their friends, neighbors and relatives. With this in mind, a new Kane Center was opened in 1984 in the Glen Hazel section and another on the northern border of the City in Ross Township. The third Scott Kane Center accommodates many City residents from the South Side and West End and Chartiers areas.

The Community Colleges of Allegheny County have grown to a total population of 107,000 full and part-time students. The Community College gives many inner city youths an opportunity to further their education at low cost. In addition, there are programs for dislocated workers to re-train them for new jobs in and around the City.

It was a pleasure to have you and the Mayor and the Members of City Council out to tour the new Midfield Terminal this past week. It will provide thousands of jobs eventually through the development of commercial and light industry in that area. To make it more accessible for City residents, I am supporting a new transit corridor from the airport into Pittsburgh.

I would also like to thank you and the Mayor and City Council for your input and assistance in developing the priorities for the document known as Strategy 21 which provides for further cooperative measures.

I admire and respect you for your service to the City.

Sincerely,

Pete Flaherty

PFF/nls

cc: The Members of City Council

(END OF LETTER)

Mr. Millones moved to approve the Minutes of Tuesday, November 26, 1991.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of Mr. Regan

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, December 17, 1991

No. 49

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, December 17, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Regan:

I'd like Mr. Ricciardi and the Honorable Bishop Darkins to come up, please. I'd like to ask all of you folks back there to come up, please.

Reverend Fathers, distinguished guests, I think it's a great day for the world because we've had a lot of nations whose countries have been freed. There are the Eastern European countries and maybe ten in Africa that have gotten their freedom.

Mr. Regan presents

No. 3617 WHEREAS, during 1991, the world saw tremendous positive changes in government. The torch of freedom burned brightly in several countries that had never before bore its light; and

WHEREAS, Lech Walesa led the solidarity movement that eventually begot free elections in Poland; and

WHEREAS, on March 25, 1990, the free nation of Hungary held democratic elections; and

WHEREAS, on May 20, 1990, Romania held free democratic elections; and

WHEREAS, on June 8 and 9, 1990, Czechoslovakia held free democratic elections; and

WHEREAS, Bulgaria chose June 17, 1990, to hold democratic elections; and

WHEREAS, the torch of freedom shined brilliantly on November 9, 1989 as the Berlin Wall fell; and

WHEREAS, on September 6, 1991, the Soviet Union recognized the Baltic States of Estonia, Latvia and Lithuania as free independent nations; and

WHEREAS, on September 22, 1991, Armenia held free democratic elections; and

WHEREAS, on June 12, 1991, the Parliament of the Republic of Russia elected noted advocate of democracy, Boris Yeltsin, as President of this Republic; and

WHEREAS, on December 1, 1991, the people of Ukraine voted overwhelmingly to become a free separate nation; and

WHEREAS, freedom through democracy was not isolated solely to Eastern Europe; several nations of Africa also inspired the world by carrying the torch of freedom; and

WHEREAS, on March 24, 1991, Benin held their first free presidential election in 30 years; and

WHEREAS, on June 2, 1991, Burkina Faso adopted a new constitution; and

WHEREAS, on January 13, 1991, Cape Verde held Parliamentary elections for their people; and

WHEREAS, on July 2, 1991, the Central African Republic's Parliament approved enactment of a multi-party system; and

WHEREAS, on July 1-5, 1991, Ethiopia set up negotiations to develop a transitional government; and

WHEREAS, on May 4, 1991, Guinea-Bissau legalized opposition parties; and

WHEREAS, on July 12, 1991, Mauritania adopted a new constitution; on July 26 of the same year legalized opposition parties; and

WHEREAS, on June 8, 1991, Rwanda adopted a new constitution and a multi-party system; and

WHEREAS, on January 20, 1991, Sao Tome-Principe held their first free elections in 75 years; and

WHEREAS, on October 31, 1991, Zambia held their first elections in 19 years.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Tuesday, December 17, 1991 as "Freedom Day" in the City of Pittsburgh as a celebration of all the freed countries of the world, and let it also be a message to any nation holding its citizens under bondage that free democratic elections are the only acceptable terms of government. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

I'd like to have Father Appleyard to please come up here.

Father Appleyard:

I want to thank the Council that represents the City of Pittsburgh for making this public statement. It gives added moral support to the rightful aspirations of people who are still struggling for the liberty that we enjoy here.

Again, my thanks to this Council and to the City for its affirmation of human liberty and freedom not only here but throughout the world. Thank you.

Bishop Darkins:

It's so rewarding to be here today and for our colleague, Baldy Regan, to recognize the freedom that is throughout the entire world.

I would also like to add to it today as one of our colleagues on Council that will be leaving us and that's Bernard Regan. This is something that he has exhibited for the past two years here in Council, the liberality that all men are free. And we share and join with him today in celebrating. And as his famous saying is, "It can only happen in America!"

Mr. Regan:

Thank you very much, Bishop. You know, I wasn't sure whether to call the Bishop up first or Father Appleyard. The only thing Father Appleyard had going for him is that he's from the North Side.

I'd like to now introduce my distinguished colleague from the South Side, the Honorable Mr. Gene Ricciardi.

Mr. Ricciardi:

Thank you, Mr. Regan. I also would like to take this moment just to congratulate all the different representatives of the different groups

that are here because really we're talking about liberty and self-determination for all people and I just think that's a great virtue that we're going after.

And thanks also to Mr. Regan for doing all this work and putting this together and, as Mr. Regan has always said, "It can only happen in America!" But, again, congratulations.

Mr. Regan:

Now, I'd like to introduce Mr. Michael Karchinski. That's like Smith in the old country, Karchinski.

Mr. Karchinski:

Mr. President, Councilmen, the most important event of this century is the collapse of the Soviet Union, the last empire on this globe. And perhaps the most important factor accelerating the collapse was the December 1st referendum in the Ukraine where nine out of ten inhabitants of the Ukraine, Ukrainians and non-Ukrainians, voted for an independent democratic country. It is most important that this collapse of the empire is taking place in a peaceful manner without a single casualty, which proves that the roots of democracy are very deeply entrenched in the former Soviet Union and particularly the Ukraine.

We, as American Ukrainians, are proud and happy that our countrymen have shown to the world their will and their ability to live in a free democratic country. Thank you very much.

Mr. Regan:

The final speaker is Michael Adams. Merrill Adams. I'm sorry.

Mr. Adams:

I have been called many, many things.

I'm of pure Polish descent. Of course, both my parents having come from Poland. We're proud as punch for one thing, that Poland was once again fortunate enough to be the precedent setter in this movement of freedom. They were the first country to shed the Communist yoke.

Poles and Italians have been the brunt of jokes for a long time. Fortunately, the question is no longer, "How many Polacks does it take to put in a light bulb?" Now they're asking, "How many Polish electricians does it take to light the lamp of freedom all over Europe?" Ladies and gentlemen, one.

Thank you very much for this recognition and I want to thank the Council and let freedom ring all over the world.

Michelle Madoff:

I'm the youngest Member of Council but I'm first generation Polish in this country in my family and all I can say is, "Jencula". It's the only word I know.

Mr. Regan:

It's good enough.

You know, it's a great honor to have these people here today and we have countries fighting for their freedom now, namely South Africa. We had Nelson Mandela here last week and I think this is only the start of the fall of these countries all over the world where they'll now all be independent and have a democratic system. A great American, Dr. Martin Luther King said, "Let freedom ring", and today in the City of Pittsburgh, with your help, freedom has rung.

I would like to say that maybe now we can really say, "Jesa Bethlehem" at Christmastime. Jencula. Thank you very much.

The Honorable Mr. Smith, this guy has sold more perogies than Giant Eagle.

The Chair:

We want to thank all of you for coming today, and Mr. Regan for this excellent resolution.

(AT THIS POINT, THE GROUP SANG JESA BETHLEHEM IN POLISH)

Mr. Regan:

It's a shame we don't have Harold Betters and his band here to get that stuff out a little better.

Dr. Carmen Sarnicola, would you please come up here? It gives me great pleasure to introduce the Honorable Dr. Carmen A. Sarnicola who is a real Pittsburgh ambassador.

Mr. Regan presents

No. 3618 WHEREAS, Dr. Carmen A. Sarnicola was appointed Principal of one of the top 100 "Good Schools Program" across the country; and

WHEREAS, under the sponsorship of Allegheny Intermediate School, he served as the Pittsburgh Leadership Representative for 42 school superintendents in Allegheny County; and

WHEREAS, Dr. Sarnicola was listed in the Who's Who in American Education during the 1960's and was elected President of Kappa Delta Phi National Education Fraternity; and

WHEREAS, Dr. Sarnicola worked to create a program called, "School Within A School" which offers social, psychological, and disciplinarian services to schools not within the normal behavioral standards; and

WHEREAS, Dr. Sarnicola received recognition for an article he wrote about the "School Within A School" program, which was published in the Pennsylvania Education Magazine; and

WHEREAS, Dr. Sarnicola continues to strengthen the "School Within A School" program with hopes of expanding into as many schools as possible which include implementing such a program within the City of Pittsburgh School District.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Dr. Carmen A. Sarnicola as an "Ambassador to the City of Pittsburgh" on this 17th Day of December, 1991, for the outstanding effort he has put into increasing educational opportunities both in and out of the City of Pittsburgh through his "School Within A School" program. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

It is with great pleasure and I am truly honored to have this Ambassador of the City of Pittsburgh come here and just tell us a little bit about the program.

We don't get that many doctors up here so I want to make sure on behalf of my Council

colleagues that we present that to you because without the kids this country will be nothing in years to come. So, we're honored and proud of the job that you've done.

Dr. Sarnicola:

Presently I'm in Clairton as the School Superintendent. And for all of you in this room, I think you understand the general circumstances surrounding the Clairton community. But I'm here today, as Mr. Regan mentioned, we have many exciting programs going on in the City of Clairton and I think it's just a matter of time before a lot of the low socio-economic problems associated with poverty and with high unemployment will be turned around.

Very quickly, in terms of early intervention, we have a Kindergarten Intervention Program, we put Head Start into the school system. We just received a grant from the Pennsylvania Department of Education for a zero to three program, and we're looking to put in a four year old kindergarten program for next year. Next year we will have services for young children, particularly during the developmental years of zero to five for all of the students in the Clairton community.

In Middle School, we have a program called Project Forward for seventh and eighth grade students looking at the 20 most at-risk students. Grades 9-12 a program called Project Talent Search from Penn State. It's a three year grant we received and we have a lady on staff that is working in terms of counseling and tutoring people.

My last comment is, going into Clairton you have two opportunities and, in fact, any place that has high unemployment and devastation, can either sit there and moan and complain, or you can go out and do something about it. It's called Partnerships Networking and Collaboration.

Through Mon Valley Educational Consortium with a Dr. Krausher, through the Allegheny Intermediate Unit with Dr. Holtz and Dr. Laganna, through USX that is one of our partners in education and the General Manager, George Weber, through the universities, through Head Start with John Mitchell, there are many organizations now. The University of Pittsburgh, CMU and Duquesne University is helping us.

I want to just mention in closing, I want to thank Mr. Regan for giving me the opportunity to express what is going on not only in Clairton but also the effect that that has on the City school system.

I wish everyone a happy holiday season. Thank you.

Mr. Regan:

Thank you very much, Doctor. The last resolution that I had in the Council of the City of Pittsburgh was given to you, Doctor. Good luck.

Mr. Ricciardi presents

No. 3619 WHEREAS, Frederick A. Seddon, a lifelong resident of Pittsburgh, attended Connelley Trade and South High School and went on to work for Jones Laughlin Steel Company for thirty-eight years and is currently an active member of SOAR (Steelworkers Of America Retired); and

WHEREAS, Fred Seddon, along with volunteering thousands of hours to the Arlington Food Bank and senior citizens, has served the Arlington community as an elected constable for 12 years and as an Allegheny County Democratic Committee person for 40 years; and

WHEREAS, Mathilda B. Bauer, a lifelong resident of Pittsburgh, attended Bellefield High School and is actively involved

in her neighborhood and with the members of Caliguiri Hall; and

WHEREAS, Fred Seddon and Mathilda Bauer were married on January 3, 1942 and raised six children: Fred, Jr., Gerald, Susan, Glenn, Claire and Laurie in their Arlington home; and

WHEREAS, Friday, January 3, 1992 is the 50th Anniversary of the marriage of Fred and Mathilda Seddon.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Fred and Mathilda Seddon on their 50th Wedding Anniversary and commends them for their ongoing service to Pittsburgh and the Arlington community, and declares Friday, January 3, 1991 as "Fred and Mathilda Seddon Day" in the City of Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Coyne presented

No. 3606 Resolution amending Res. No. 1400, appr. December 27, 1990, entitled, "Resolution authorizing and directing the Director of Dept. of Finance to issue partial checks to supplement the pay of any City employee who is called to active military service (any Reserve, National Guard Component of the U.S. Armed Forces or Coast Guard) due to the Middle East Crisis/Operation Desert Shield, amounting to the difference between their military pay and City salary, and to maintain all health care benefits for said employees, their spouses and dependents during their term of absence in the Middle East, by deleting due to the Middle East Crisis/Operation Desert Shield and

in the Middle East." ---**(SPONSORED BY MR. COYNE)**

Which was read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 3607 Resolution providing for the issuance of a warrant in favor of Albert Petrarca, 5703 E. Liberty Boulevard, Pittsburgh, PA 15206, in the amount of \$525.00 in payment for professional services rendered to Councilman Jim Ferlo, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Index Code 100123, District 7, City Council. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Finance.

Mr. Regan presented

No. 3608 Resolution authorizing the transfer of \$55,000.00 from Code Account 51, Postage, to Code Account 1461, Fire Salaries, Bureau of Fire, Department of Public Safety. This transfer is necessary to maintain procedures for Code Account 1461.

Also,

No. 3609 Resolution authorizing the transfer of the aggregate amount of \$75,000.00, \$60,000.00 from Code Account 1016, Salaries Mayor's Office and \$15,000.00 from Code Account 1042, Salaries, City Information Systems, to Code Account 1461-1, Fire Premium Pay, Bureau of Fire, Department of Public Safety. This transfer is necessary to maintain operating procedures for Code Account 1461-1.

Also,

No. 3610 Resolution requesting the Chief Justice of the Supreme Court of Pennsylvania to exercise his powers to devise and implement a plan whereby the functions of City Court, Traffic Court and Housing Court can be integrated into the system of District Justices in effect throughout the City. ---**(SPONSORED BY MR. REGAN)**

Which were severally read and referred to the Committee on Finance.

Mr. Regan moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3611

Report of the Committee on Finance for December 11, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3518

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Tedesco and Son, Inc. in the amount of \$32,497.50 in partial payment of an Emergency Contract for remedial work to correct hazardous conditions on McArdle Roadway, located in the 18th and 19th

Wards, 2nd Council District; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3519

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor Reach All, Inc. in the amount of \$1,609.94 in payment of training for the newly hired Bridge Inspection Vehicle Operator; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3566

A Resolution entitled, "Resolution providing for the issuance of a \$787.50 warrant in favor of Efrigina Rhodes in settlement of claim for sidewalk damage."

Which was read.

Also,

Bill No. 3567

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$45,000.00 to Jonathan Ramsey c/o John P. Gismondi, Esquire, his attorney, Gismondi & Margolis, 606 Grant Building, Pittsburgh, PA 15219 in full and final settlement of alleged injuries sustained as a result of a City police dog bite in Point State Park on or about September 8, 1989."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Bill No. 3572

A Resolution entitled, "Resolution amending Resolution 1008 of 1991, recorded November 7, 1991, entitled 'Authorizing the Mayor and the Director of Finance to execute a Cooperation Agreement with the County of Allegheny and the Public Auditorium Authority of Pittsburgh and Allegheny County to provide for uses and procedures for the distribution of Hotel Tax Revenues collected by Allegheny County for payment of debt service,' by eliminating the limitation of uses." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3573

A Resolution entitled, "Resolution providing for an Agreement or Agreements for Stenographic Reporting Services in connection with public hearing(s) and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3574

A Resolution entitled, "Resolution providing for an Agreement with Curtis M. Kennedy which grants a license for a single family dwelling access driveway on and through property owned by the City of Pittsburgh upon certain terms and conditions."

Which was read.

Also,

Bill No. 3575

A Resolution entitled, "Resolution providing for the conveyance of certain property in the 5th Ward, City of Pittsburgh, designated as part of Block 10 F, Lot 198, to Macedonia Baptist Church, for the sum of \$2,000.00."

Which was read.

Also,

Bill No. 3576

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 3577

A Resolution entitled, "Resolution providing for the filing of a petition or petitions, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3578

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Community

College of Allegheny County, 800 Allegheny Avenue, Pittsburgh, PA 15212 in the amount of \$3,822.00 in payment for a First Responder Course attended by Firefighters in the summer of 1991, furnished for the benefit of the City of Pittsburgh and providing for the payment thereof."

Which was read.

Also,

Bill No. 3579

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Municipality of Bethel Park, Municipal Building, 5100 W. Liberty Avenue, Bethel Park, PA 15102 in the amount of \$2,717.00 which represents a percent of wages paid to our recent police recruit, who received his State Certification to become a Police Officer through Bethel Park and was hired by the City of Pittsburgh within two years of Certification, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3580

A Resolution entitled, "Resolution transferring One Hundred Thousand Dollars (\$100,000.00) from Code Account 1 Interest on Bonds and Notes, Index Code 000109; Two Hundred Thousand Dollars (\$200,000.00) from Code Account 1978 Chemicals Water Department, Index Code 197806; Fifty Thousand Dollars (\$50,000.00) from Code Account 1922, Miscellaneous Services, Water Department, Index Code 192203 to Code Account 1443-4 Police Premium, Index Code 144345, Department of Public Safety."

Which was read.

Also,

Bill No. 3581

A Resolution entitled, "Resolution transferring the amount of Five Thousand Dollars (\$5,000.00) from Code Account 1405, Equipment, Index Code 140509 to Code Account 1400-1, Administration Premium Pay, Index Code 140012, Department of Public Safety."

Which was read.

Also,

Bill No. 3582

A Resolution entitled, "Resolution transferring

Twenty Thousand Dollars (\$20,000.00) from Code Account 1405, Equipment, Index Code 140509, to 1401 Miscellaneous Services, Index Code 140103, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3596

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of F. Douglas Ligons, 317 N. Craig Street, Apt. 104, Pittsburgh, PA 15213, in the amount of \$2,500.00 in payment for professional services rendered to Councilman Jake Milliones."

---(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 3597

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of The Kaiser Group, One North Shore Center, Suite 105, Pittsburgh, PA 15212, in the amount of \$1,200.00 in payment for professional services rendered to Councilman Bernard J. Regan."
---(SPONSORED BY MR. REGAN)

Which was read.

Also,

Bill No. 3598

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., One Bigelow Square, Suite 616, Pittsburgh, PA 15219 in the amount of \$1,600.00, in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of December 1991."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 3599

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Xerox Corporation, The Gateway Center, Xerox Square-870-87L, Rochester, NY 14664, in the amount of \$3,762.00, for the purchase of a Facsimile machine in the Office of City Council."
---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 3612

Report of the Committee on Public Works for December 11, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3541

A Resolution entitled, "Resolution granting unto John A. Aurila, 2207 Sarah Street and Mary G. Capozzoli, 107 S. 21st Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a deck over a portion of the paper street

known as Saint Michael Street in the 17th Ward, 3rd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3542

A Resolution entitled, "Resolution granting unto Eleanor Batory, 3943 Oakdale Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a portion of the right-of-way of Oakdale Street to construct a driveway to her side yard and for the existing steps in the 26th Ward, 12th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3543

A Resolution entitled, "Resolution vacating a portion of Blackberry Way, beginning at a point on Southwest corner of lots 70 and 71 in S. Duff Plan of Lots P.B.V. 4, Page 239, in from Forty-Seventh Street a distance of 103.46'ft. thence eastwardly 20'ft. to a point, thence northwardly 140'ft. to a point thence westwardly 20'ft. to a point, thence southwardly 140'ft. to place of beginning, in the 9th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 3613

Report of the Committee on Planning, Housing and Development for December 11, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3544

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the West End Elliott Joint Project for administrative assistance at a cost not to exceed \$8,000.00."

Which was read.

Also,

Bill No. 3545

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Side Local Development Council for administrative support in their development and revitalization

programs at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 3546

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Community Reinvestment Group for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 3547

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ozanam Cultural Center to provide administrative/operating assistance with their services for Latch-Key Children in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 3548

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lawrenceville Business Association for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$11,112.00."

Which was read.

Also,

Bill No. 3549

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Pittsburgh Economic Revitalization Team (SPERT) for administrative support in an amount not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 3550

A Resolution entitled, "Resolution amending Resolution No. 152, effective March 8, 1991, entitled 'Providing for an Agreement or Agreements with Lawrenceville Business Association for operating and/or administrative assistance in carrying out various community, economic, or social activities, at a cost not to exceed \$1,000.00,' so as to increase the amount appropriated from \$1,000.00 to \$1,500.00."

Which was read.

Also,

Bill No. 3551

A Resolution entitled, "Resolution amending Resolution No. 467, effective May 30, 1991, entitled 'Resolution providing for an Agreement or Agreements with Persad, Inc., an organization that provides counseling and information for AIDS related victims in an amount not to exceed \$32,000.00', so as to increase the amount appropriated from \$32,000.00 to \$35,000.00."

Which was read.

Also,

Bill No. 3552

A Resolution entitled, "Resolution amending Resolution No. 486, effective May 30, 1991, entitled 'Resolution providing for an Agreement or Agreements with the Esplen Senior Citizens Association for operating assistance in running their Food Bank Project, at a cost not to exceed \$5,000.00', so as to increase the amount appropriated from \$5,000.00 to \$7,119.00."

Which was read.

Also,

Bill No. 3554

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and J.G. Van Valkenburgh for the sale of Parcel 2 in the 15th Ward of the City of Pittsburgh in Redevelopment Area No. 40 (COMMERCIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 3555

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Rodney J. and Vickie Eichhorn for the sale of Parcels 141, 140 and 139 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (COMMERCIAL REHABILITATION AND PARKING)."

Which was read.

Also,

Bill No. 3556

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS/REAR YARDS)."

Which was read.

Also,

Bill No. 3557

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire that property in the 10th Ward of the City of Pittsburgh owned by Vernon L. Boozer, and designated as Block and Lot 50K-124 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3558

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned properties in the City of Pittsburgh, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3559

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Bloomfield-Garfield Corporation for the sale of Block 50K Lots 124, 125, 126 and 127 in the 10th Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 3614

**Report of the Committee on Parks and Recreation
for December 11, 1991 transmitting one
ordinance and two resolutions to Council.**

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3560

**An Ordinance entitled, "An Ordinance
supplementing the Pittsburgh Code, Title Four -
Public Places and Property, Article XIII - Trees,
Chapter 483 - Care and Maintenance by adding
Section 483.06 providing for the removal and
replacement of city trees."**

(AS AMENDED IN COMMITTEE)

--(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

**I'd like my comments brought forward on
Bill 3560, please.**

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 3560, WEDNESDAY, DECEMBER 11, 1991)

Mr. Ferlo:

First of all, I think there's a mistake on the agenda. This is an Ordinance as submitted legislatively, not a resolution. So I'd like to correct that by amending by substitution. The actual submission to Council is an Ordinance and not a Resolution.

Mr. Perry:

It is a Resolution.

Mr. Ferlo:

No, it's an Ordinance.

Mr. Coyne:

Second.

Which motion prevailed.

Mr. Ferlo:

The actual wording is exactly the same. The actual document submitted is an Ordinance and not a Resolution.

The Chair:

Those in favor of the amendment indicate by saying aye? Opposed? The ayes have it.

Mr. Ferlo:

Basically I think Councilmembers have had a little time to review this. In a nutshell, this legislation would do the following.

I think all of us in the time that we've been on Council have had problems and concerns generally with the problem of trees. What this legislation attempts to do is the following: Where there is an individual resident who is desirous of wanting to have a tree removed from the front of their property on the City right-of-way, the basic policy right now is no tree can be cut down. However, they are some trees that are a disservice to the home owner, to the resident that are not significant trees and what this legislation would do is to provide some discretion on the part of the Parks Forestry and the Parks Director to do the following.

If a person is willing to pay at their own expense for the removal of that tree and at the same time contribute towards the replacement of a tree, so the philosophy here is a one-for-one replacement.

As you know, there are upwards of 900 people on the waiting lists who have been waiting for many years to acquire a tree also because of lack of funds and maybe to some extent lack of vision, we have not replanted in our park system, we have not reforested our trees throughout the system. We have taken down many, many significant historic trees throughout the city but we don't have a good replacement program. This is an attempt to do three things. One, satisfy that property owner that wants to get rid of a tree for whatever reason, including lindens and problems with bees and saps and all that. It allows for that expense to be incurred by the property owner and it also has the added benefit of requiring that person to supply a tree either for a park system or for somebody on the waiting list and that's basically the bill in a nutshell, and I'd like to bring the Director up to comment on the bill.

Obviously I'm concerned that if there is support that the Administration cooperate in this manner.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3585

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Phipps Conservatory, effective January 1, 1992."

Which was read.

Also,

Bill No. 3586

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into agreements in individual amounts of Ten Thousand Dollars

(\$10,000.00) or less with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various recreational and instructional programs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 3615

Report of the Committee on Public Safety for December 11, 1991 transmitting sundry ordinances and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3458

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter 611, Alarm, Section 611.01 Definitions, by adding a new (b) Operative Alarm System and Changing the present (b) to 611.01(d) and adding Section 611.01(e) Multipurpose Alarm; and Section 611.03(a), to reflect the Operative Alarm System language and (c) to require the posting of a permit or permit number; and 611.06(a) permit, by changing the alarm system permit fee; and Section 611.07(a), False Alarm Penalty, by changing the false alarm penalty fee, and by adding Section 611.07(c), a 90 day grace period for false alarms and by adding section 611.08, Penalty for Failure to Post or Obtain Permit."

Which was read.

Also,

Bill No. 3463

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - General Parking Regulations, Chapter 543 - Parking Meters and Chapter 545 - Off-Street Parking by eliminating discount periods in the Central Business District and Oakland areas."
(AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3584

An Ordinance entitled, "An Ordinance supplementing and amending the Pittsburgh Code, Title Five, Traffic, Article VII, Parking, Chapter 541, General Parking Regulations by adding Section 541.06 "Vehicles Obstructing Traffic".

Which was read.

Mr. Ferlo:

Mr. President, I'd like my comments brought forward on Bill 3584, please.

The Chair:

I would also like my comments brought forward on Bill 3584 and the comments of Director Cannon along with that.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. COHEN, WAGNER & CANNON'S COMMENTS ON BILL NO. 3584, WEDNESDAY, DECEMBER 11, 1991)

Dir. Cannon:

This authorizes us to remove a vehicle from the street that's creating a safety hazard that has been left there by the owner.

Mr. Cohen:

Director, don't we already have this authority to do this?

Dir. Cannon:

We do that in terms of our normal salvage. This is in relation to an accident or -- particularly involved in an accident where it suddenly creates the situation versus the vehicle that sits there for days. We do have that authority but this is something new. It's cleaning up the Code essentially.

Mr. Cohen:

If a vehicle is obstructing traffic because of an accident now, we don't have the ability to move that vehicle?

Dir. Cannon:

We do move it but we don't have the owner's consent when we do that nor have we met the requirements of writing to Harrisburg and getting approval to take that car. You are authorizing us to do that. If fact, if you look further at what it says is, the owner is deemed to have authorized the City or its contractor to act and remove that vehicle.

Mr. Cohen:

Is it the officer on the scene who makes that determination?

Dir. Cannon:

Yes.

Mr. Ferlo:

If people are parked on the street and blocking a driveway or anything like that and it's properly signed, we can do that at any time.

Dir. Cannon:

That's correct.

Mr. Ferlo:

This is more for that particular situation where we have to pretty much -- hands on grab somebody's car and remove it.

Dir. Cannon:

That's right. And if they can't do it or they won't do it we are being authorized to do it.

Mr. Ferlo:

Do we have a lawsuit on this?

Dir. Cannon:

There was a question about who said we could move their car when they didn't move their car.

Mr. Wagner:

I want to make sure that within the policy and procedures of the Administration tow truck companies and tow truck operators are not identifying which cars should be moved, and there has been some discussion that certain cars and certain places that some tow truck people have informed the police and the police officers show up based on that request and I want to make sure that it's not happening. And we do have a policy?

Dir. Cannon:

That's right. Our police officers make the determination and not the towing company.

Mr. Wagner:

I don't think the notification process should come from anyone other than it should not come from the towing company.

Dir. Cannon:

Sort of like bounty hunting for tows.

Mr. Wagner:

Yes, I understand.

Mr. Cohen:

That being the case, let me throw another law question at you. One concern of mine is, the bill makes sense to me. Obviously you have to move vehicles if they are obstructing traffic but given that it's an accident situation and there could be and very probably would be a future lawsuit as a result of that accident, can you assure us that the officers will be notified that the car can be moved in a way that won't harm evidence. That car is evidence in a future lawsuit. I'm just afraid that the City could be sued because the person who got hit by another car will say, the car didn't look like that.

Dir. Cannon:

Exactly. If it's an accident depending on the severity of it, our Accident Investigation Unit will be there and document the scene with photographs and so forth.

Also, there are inventory sheets and sheets that require the damage to the vehicle to be spelled out on the sheet before it's moved by the tower and signed by the officer. It's then re-evaluated when it reaches the tow pound as to damages and property and so forth.

Mr. Cohen:

Thank you.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3459

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I, Chapter 601, Public Order and Chapter 603, Parades and Crowds, by increasing certain fees."
(AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 3459 I'd like my comments brought forward

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 3459, WEDNESDAY, DECEMBER 11, 1991)

Mr. Ferlo:

Do we have a concrete list? There was some reference that Mr. Coyne made. He has some memo listing a few of the parades? Do we actually have a list that's quantified on the actual parades that take place each year? Other than Downtown on frequent occasions when there's been a parade and I didn't even know there was a parade. We seem to have a lot of parades in this city. Is there a formal list that you can provide to Council?

Ms. Conturo:

We attempted to do here. If you're thinking that there's some major parades that are missing --

Mr. Ferlo:

-- you don't have a Channel 11 parade on there.

Ms. Conturo:

That was because that had just taken place and they didn't have numbers on them.

Mr. Ferlo:

They have had one for the last three or four years.

Ms. Conturo:

Okay, let me go back and look at it.

Mr. Ferlo:

Secondly, if we were to raise these fees back, I think the issue of the fees has to be looked at relative to what the actual expenditure of city government is and Mr. Coyne alluded to that a little bit. The Public Works column is incomplete. The Administration needs to explain to us what are the actual parades and also what are the actual costs provided, be it public safety, public works or parks and recreation.

Secondly, if we do increase the fees back, I think there should be some consideration given to what we provide to that effort not only by way of police, public safety, public works and parks, but what can we do more to assist the success of these parades?

We have made mention about enhancing the parade route, be it the new banner system that we have on the polls, American flags, whatever we're talking about. I would be sympathetic to raising them back if I thought we were going to supply something more than just the traditional in kind services that we provide. If we project this as more of a partnership with this parade organizing committees and not give them all the run around and all the hassle that they've got to go through and actually give them something more for their money, I'd be sympathetic to Mr. Coyne's amendment. Instead of this being viewed as an onerous pounding away, we're going to get you for some money but view it more of what Mr. Regan and Mr. Wagner is talking about that enhances the city that provides a benefit to the business community and with these resources we're now going to actually be able to do more in terms of the support for the parade route.

Ms. Conturo:

That wasn't the intent here. The intent was to recover the cost that we're already expending.

Mr. Ferlo:

We have a marriage whether we like it or not. We're the living room for the region. We have a marriage with these groups. They have institutionalized these parades in the city. People come from all over Western Pennsylvania to Downtown. There's a lot to the argument about people parking and paying twenty-five cents on the dollar which comes back to the city and everything of the sort. Rather than view this solely as an issue of recouping money, how do we make this actually be a marriage not of convenience but a marriage that we're actually going to do something more than we have done in the pass?

Ms. Conturo:

I don't think at this point we're ready to take on added responsibilities, but we're willing to talk.

Mr. Ferlo:

-- I just think we have a great asset that we should learn how to make it better.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Ferlo:

I still believe that the house is divided so strongly on the issue of the amount of the fees for the parade permits, and there's still some outstanding question legally regarding its constitutionality, I don't know why we have to rush the judgment on this bill. It wouldn't affect anything relative to the budget consideration of any significance we have a few weeks prior after January to alter the budget. And I'm voting no basically because I believe there should at least be a public hearing on the bill before final action.

Mr. Ricciardi:

Mr. President, on Bill 3459 which is the increase in fees for the parades, I have said consistently that I support a total cost recovery program where we don't distinguish between parades or other regional events. So, obviously I will be voting no on this bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Michelle Madoff
Mr. Milliones

Mr. Regan
Mr. Wagner
(Pres't)

AYES 5

NOES 4

VOTING NO:

Mr. Coyne
Mr. Darkins

Mr. Ferlo
Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3494

A Resolution entitled, "Resolution approving a Public Safety Emergency Telephone Act Plan, establishing a contribution rate for telephone subscribers, authorizing the Department of Public Safety to submit the plan for approval of appropriate state agencies and providing for the collection of the contribution rates."

Which was read.

Mr. Ricciardi:

On Bill 3494, the 911 plan. As I have stated in the past, I do support upgrading the 911 system and I'm excited about any legislation that gives us the ability to begin to give revenues from many of our tax exempt institutions. However, I was very disappointed that the Administration was not able to provide a breakdown of the classifications and where the monies are going to be coming in. I understand the goal is to get \$1.5 million in '92 and in '93 \$3 million. But without that breakdown, I'm not positive that we should be charging the complete dollar on the residential units finally breaking down to 17 cents. That dollar might only need to be 25 cents or 50 cents or even 75 cents. So, obviously I'm not going to vote in a vacuum. I'll be voting no on that bill also.

The Chair:

Please include my remarks on Bill 3494.

Mr. Ferlo:

I would like my remarks included also.

(REMARKS ON FOLLOWING PAGES)

(MESSRS. FERLO & WAGNER'S COMMENTS ON BILL NO. 3494)
(Wednesday 12/11/91)

Mr. Ferlo:

Mr. Chairman, this was the subject of a public hearing, as we all know, last night. There were alot of issues raised. I certainly spoke in opposition to the \$1.00 proposal. And in all due respect, and with the support of Mr. Regan, I would like to ask him to at least consider -- I am sure

Mr. Roundtree in Public Safety did alot of work last night in preparing these documents as a request from our hearing last night. We just received this this morning, I obviously haven't had time to review this. I would like to ask if we can possibly have time to review this and decide this issue next week.

(Deleted text.)

Mr. Ferlo:

No. I am wondering if we can't have time to look at this information, which has been prepared by DPS. So I am asking in consideration for holding this till next week.

(Deleted text.)

Mr. Ferlo:

I want to point out, Director Turner, we just received responses to questions, albeit you had a short time, obviously, to respond. One week is not going to change -- if we finally resolve this next week, it will be okay. It is hard to discuss this, because to ask an intelligent question based on last night's hearing, I would like to be able to review the information that you supplied.

Mr. Turner:

I think that is fair. What we are hoping, given the time frame is running out, is that we can answer all questions before you have to take the final vote. We went to some pretty extraordinary lengths to get you the answers this morning to the questions raised last night. We will continue to do that. We will meet with anybody that wants to meet on any of the issues.

(Deleted text.)

Mr. Roundtree:

Number Two is the copy of the Act which is the actual official document which was in the Pennsylvania Bulletin just so that you have another reference point to that.

The access line estimates, as we mentioned last night, Bell is working intensively with us and with their data systems people to try to determine exactly the number of telephone lines in the city and we discussed last night the scenario with that and that is that their telephone service area is not the same as our geographical area. They are not able to give us an exact time line for that but they are on top of that and will get that to us as soon as possible.

The PUC hearing, I believe the question came up is, is there another hearing held by the PUC similar to a tariff rate application? Our understanding is not. The PUC has already held hearings in Harrisburg. The PUC's sole responsibility in this is to affirm that in fact our expenses meet or exceed the revenues that would be received from this.

There is a flow chart attached that shows the time line and the responsibilities of each of --

Mr. Ferlo:

-- on the issue -- let's get to the heart of one of the essence of the debate last night. The legislation says we can charge up to \$1.00. The issue last night that was expressed was the differential on the classes of payers, residential versus commercial, business and/or institutions. Obviously a lot of us would prefer a lower -- I prefer a lower rate if indeed the differential can be such that residents pay a lesser amount and there's less differential in the variable rates that you're suggesting for the commercial institutional payer.

Mr. Turner:

Let respond to that. I talked to the Law Department last night and this morning. They are preparing a written legal opinion which you will have beforehand. We believe that we're going to be basically constrained by the Act, although there is certainly the sense of Council and the sense of the Administration to see if we can get the Act changed to do exactly what you're talking about.

What we know already is that you simply -- you can't exclude a group for income purposes under this Act because there has to be a relationship to the service provided and what your classification is. But we're looking for every imaginative way possible and our people literally are working on it right now and we'll get you the written answer very soon.

Mr. Ferlo:

If we were to modify this plan for a twenty-five cent fee with the sliding scale being twenty-five cents down to twenty cents, given the categories that you've talked about, where there's uniformity but the differential is different, I'd like to know what income that would produce. In other words, we don't know by way of who's paying and generating the revenue how much money will be generated under a plan of twenty-five with a sliding scale of down to twenty. For instance, if disproportionately the revenues coming from institutions and businesses that it may be that a sliding scale from twenty-five cents down to twenty will indeed still yield significant amounts -- of money versus the one dollar fee which basically is borne out by residents because the large class of payers, business institution, are under the sliding range whereby if they have multiply phone lines in volumes of 1 to 500 and 500 to 1,000 lines. In other words, without knowing that information, it's hard to determine revenue-wise how much will be generated. I'd like to know that issue before I vote and I feel that without that I'm voting in a vacuum.

Mr. Turner:

Again, we will get you a legal opinion.

Mr. Ferlo:

But it's a legal issue and also an income issue.

(Deleted text.)

Mr. Wagner:

Gentlemen, just for the record, I asked this question last night and it's important to state it again today. Under this proposal, if a home has one telephone line and three phones, what will the cost be per month?

Mr. Turner:

In my house for example there's one number to the house but there's three phones in the house; I pay \$1.00. If I elect at a later date to get two phone numbers, two distinct numbers to call in then I would pay \$2.00.

Mr. Wagner:

If you had three phone numbers you would pay \$3.00.

Mr. Turner:

Correct.

Mr. Wagner:

If you had one phone number and twenty extensions you would pay \$1.00.

Mr. Turner:

Correct.

Mr. Wagner:

If a business had 100 phones and 25 numbers, it would pay --

Mr. Roundtree:

-- up to 25 telephone dial lines or access numbers is charged 100 percent which would be the \$1.00 per month. It's 26 through 100 lines is 75 percent and this is all in the summary. Those are individual telephone numbers.

Mr. Wagner:

My example, in 25 telephone numbers in a business with 100 phones, you would pay \$25.00.

Mr. Roundtree:

That's correct.

Mr. Wagner:

Also, we talked briefly last evening and I just want to get it on the record again. What is the breakdown between the total revenue that will be generated as you see it now for city residents versus business and city residents versus non-residents?

Mr. Roundtree:

Your homeowners versus commercial, industrial, institutional.

Mr. Wagner:

The \$1.5 million as you are suggesting, one-half of that would be residential and one-half would be --

Mr. Roundtree:

-- that's our best guess estimate.

Mr. Turner:

Our best estimate from Bell is that it's about 50-50. Now, however the revenue won't be 50-50 because obviously there aren't any homeowners I can think of that would have more than 25 phones and therefore would be subject to the sliding scale that the Act requires. Obviously that does apply to the bigger institutions. So 50 percent of the revenue won't come from them even though 50 percent of the phones.

Mr. Wagner:

Finally, the location address on 911, now when someone calls 911 their phone number comes up on the screen. You are proposing with the implementation of this an enhancement to 911 which would include the address coming up on the screen. What is the cost of doing that and how long will it take to achieve that?

Mr. Roundtree:

The cost is an initial non-reoccurring cost of about \$500,000.00.

Mr. Wagner:

Which would be paid for by this --

Mr. Roundtree:

-- through this fund and a reoccurring cost of \$25,000.00 per month.

Mr. Wagner:

And the time of implementation.

Mr. Roundtree:

We would expect that we would have that in operation by the end of 1992.

Mr. Wagner:

Would you please describe the importance of that.

Mr. Roundtree:

It's important to us for a number of reasons. One, as we had discussed last night, we get many calls from people who aren't to provide proper addresses, children, elderly, handicapped. It confirms to us the proper address, whether the telephone is disconnected. It helps us to verify duplicate calls to the same address or the same location. It will also get us out of a dilemma that we're in right now where we receive approximately 30,000 to 40,000 calls a year of our total 600,000 from outside the city. There's a selective routing which is a feature of that line identification would direct those calls to the proper police, fire or EMS as reported. Wilkinsburg, Upper St. Clair, Shaler Township, etc. It would reduce our workload and our having to interview those people when they call in and determine where they are truly calling from.

Mr. Wagner:

So in fact with enhanced 911, we may be able to get police, fire, paramedics to the scene quicker.

Mr. Roundtree:

It will guarantee that we will be sending them to a more accurate address.

Mr. Wagner:

Thank you.

Mr. Ferlo:

Does your plan that you submitted to DCA or proposing to submit to DCA outline the procedures the City will use regarding this issue?

Mr. Roundtree:

It does not have to but what we will do -- we would seek reimbursement from those people.

Mr. Ferlo:

So you would take legal action against subscribers be it residential or whoever.

Mr. Roundtree:

It would be in a similar fashion to the non-payment of ambulance service and things of that nature, yes.

Mr. Ferlo:

On Page 2147 of the Act, this is the section I assume that you're basing your actions on regarding the scale. This breaks down in referencing the Centrex systems or multiple line systems the differential?

Mr. Roundtree:

That's correct.

Mr. Ferlo:

It still goes back to the basic issue of not knowing the number of subscribers in terms of the class of subscribers and not knowing what the revenue is going to be. I guess the problem I have and I have stated it before, I'm generally in favor of recouping monies under this Act and I think it's a good thing that we're doing this. The problem I have is the rate being \$1.00 automatically assuming it's got to be \$1.00 without knowing these other issues and I still think Council is voting in a vacuum inappropriately on this issue until these issues have been resolved.

The way this differential reads, if the largest percentage of the telephone subscribers are indeed institutions and large businesses under the Centrex and multiple line systems, I'm not convinced it has to be the dollar rate.

Mr. Roundtree:

Our only option we had -- we felt that this was a significant issue and would have been to delay doing anything with the plan until we had that information from Bell.

Mr. Ferlo:

I'm not asking you to delay it. I'm just asking you how you came to automatically -- it seems like -- well, we've got the dollar so let's get it all. That's what your plan basically says.

Mr. Roundtree:

We know that at a \$1.00 per month per access line we will still not meet fully the expenses of the Operation Center.

Mr. Ferlo:

Where are those figures?

Mr. Roundtree:

They are in the plan and we actually estimated that the cost in relation to each access line is about \$2.20.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Ferlo:

Mr. Chairman, I want to restate clearly that I'm in favor of some type of a surcharge, call it a tax, fee, whatever you want to refer to it as. The City has made tremendous advancements to its credit moreso than any other municipality in the Commonwealth as it relates to the 911 operation and the dispatching of emergency ambulance vehicles.

I think it's legitimate given the Act that was passed by the State Legislature for the City to be able to recoup some of our costs, both for previous expenditures as well as hoped-for upgrading of the system especially with the address I.D. As you pointed out, Mr. Wagner, it possibly could help save a life in terms of the address identification.

My only difference of opinion is how the Administration has calculated what the fee should be. I believe strongly that the fee should be 25 cents with a sliding scale down to 20 cents so that major commercial carriers and major institutions in this City pay their fair share as opposed to this surcharge being placed on the backs of individual homeowners and residents.

Michelle Madoff:

I share the comments that my colleagues have just stated with reference to placing the burden, and I stated so publicly and in my questioning of the Administration.

It makes no sense to me to have a dollar fee locked in for 911 for residents when it's their right and their protection. It's a basic PUC rule that the public is protected. There are people who may not be able to afford that dollar. I believe we have to get somehow a readjustment of those dollars.

I didn't realize that we were going to have

to vote on it this quickly, we have six weeks into the new year. I know we have to have \$1.5 million just to balance the budget from the 911 and I have no problem with raising the 1.5 or 1.7 if you had to. That doesn't mean we have to go the full dollar. And the problem is that we are going to give corporations a sliding scale on their phones and that's a write-off, but we are going to put the dollar on every resident, including indigents, and I find myself unable to vote for that.

The Chair:

I just want to state that the Administration has made a commitment to go to Harrisburg and try to lobby for changes in this legislation, particularly as it relates to the fee structure and the declining fee structure with the increased number of phone lines, plus trying to get revenues that could be allocated directly towards our pensioners, or excess revenues towards our pensioners.

So, there has been a commitment. Our Legislative Assistant in Harrisburg, Mr. Nello Giorgetti is here with us, and we would hope that they would follow through with that commitment.

Michelle Madoff:

The point I'm making, and it seems to be lost here somewhere, is that the new Act allows us to collect up to one dollar and a sliding scale for corporations. I'm saying that we don't need to go the full dollar in order to make the shortfall of \$1.5 million.

We still have six weeks into the new year into the budget. It seems to me that we ought to lower that fee and perhaps this afternoon, before we have the final vote this afternoon —

Mr. Ferlo:

This is the final vote.

Michelle Madoff:

Well, on this issue it is. I'm just saying that we could open up the budget and still amend it. But I am very concerned that this is going to be balancing the budget on the backs of those who can least afford it, and I'm going to have to vote no on it.

Mr. Ferlo:

I just think it's mythical to suggest that we're going to get anything from Harrisburg relative to changes in this Act. They already empowered us to do what you're suggesting. They already empowered us to charge up to one dollar. In the Act it very clearly states that there shall be a sliding scale determined by the amount of expenditures, the cost of upgrading the system, and that will produce the revenue needed to help enhance the 911 operation. The State Legislature, in fact, has already empowered us to do that.

Where the debate is, and the reason why I think this should be held until January for further public hearing and disclosure, is the Administration was not able, as Mr. Ricciardi pointed out, was not able to explain to us specifically what anticipated revenues will be generated and what the different class of payers will be, be they commercial, institution or resident.

I feel very strongly and, in all due respect, we are voting in a vacuum. Obviously, I think overwhelmingly the Council wants to impose some fee; it's a question of how we fine tune the situation.

Secondly, it's also a myth to think that the

State Legislature is going to assist us in any bail out regarding our retiree situation off the backs of the 911 fee. They have nothing to do with each other and I don't think that will be the case. I think we can go to Harrisburg and lobby for assistance regarding the cost of living for our pensioners, but practically and politically it's not going to happen relative to the 911 Act.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins

Mr. Milliones
Mr. Wagner
(Pres't)

AYES 5

NOES 4

VOTING NO:

Mr. Ferlo
Michelle Madoff

Mr. Regan
Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 3616

Report of the Committee on Engineering and Construction for December 11, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3520

A Resolution entitled, "Resolution Repealing Resolution No. 258, effective March 23, 1987, entitled 'Providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the Replacement of the Western Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 3521

A Resolution entitled, "Resolution Repealing Resolution No. 687, effective August 29, 1988, entitled 'Providing for an Agreement or Agreements with a Consultant or Consultants for Design Services in connection with the Reconstruction of the South Highland Avenue Bridge; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 3522

A Resolution entitled, "Resolution Repealing Resolution No. 261, effective March 23, 1987, entitled 'Providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the Rehabilitation of the North Avenue and Brighton Road Bridge; providing for a

Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 3523

A Resolution entitled, "Resolution Repealing Resolution No. 248, effective March 20, 1987, entitled 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Design of the South Millvale Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 3524

A Resolution entitled, "Resolution Repealing Resolution No. 259, effective March 23, 1987, entitled 'Providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of the P.J. McArdle Viaducts No. 1 and No. 2 Rehabilitation; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 3525

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the purchase and installation of Street Trees in Various Community Development Areas; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3526

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Renovation of Arlington Playground; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3527

A Resolution entitled, "Resolution providing for a one-time deviation from the normal bidding process by advertising for qualifications of potential bidders for the Computerized Traffic Responsive Traffic Control System project; and further providing for the employment of a two-step process in the solicitation of bids and the awarding of the contract."

Which was read.

Also,

Bill No. 3528

A Resolution entitled, "Resolution providing for the filing of an application or applications by the

City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Rehabilitation of Arsenal Park Project; providing for the execution of a Grant contract and for the filing of requisitions and other data; approving the Renovation, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash."

Which was read.

Also,

Bill No. 3529

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by creating a new line item (EC 91-567) Beechwood Boulevard Bridge (Greenfield Bridge)."

Which was read.

Mr. Cohen:

Mr. President, I would like my remarks brought forward on Bill 3529, please.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 3529, WEDNESDAY,
DECEMBER 11, 1991)

Mr. Cohen:

This is for Greenfield Bridge, what is the time frame on this?

Mr. Reginella:

The funding that we are requesting at this point is strictly for the design services which will be performed in 1992 hopefully. The present budget does not yet have a line item for the rehabilitation of that structure. It's included in the proposed 1992 Budget but not until 1993 will we have the funding for construction.

Mr. Cohen:

Does it take a whole year to redesign it?

Mr. Reginella:

Probably you can cut the time frame in one-half as far as the design effort is concerned but again I must point out that the funding for construction will not be available until 1993 so that is the reason we wouldn't be able to get construction under way until then.

Mr. Cohen:

I think we should have a general discussion about the funding available. Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 3530

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for design services in connection with repairs to the Beechwood Boulevard Bridge (Greenfield Bridge) over the Parkway East; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3531

A Resolution entitled, "Resolution further amending Resolution No. 1415, effective January 1, 1991, as amended, entitled 'Adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program; and approving the 1991 through 1996 Capital Improvement Program,' by transferring PW 91-497, Grant Street Maintenance Program and PW91-462, Ornamental Fence Repair Program, Department of Public Works to EC 91-497 Grant Street Maintenance Program and EC91-462, Ornamental Fence Repair Program, Department of Engineering and Construction."

Which was read.

Also,

Bill No. 3532

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital

Improvement Program, by transferring PW90-462, Ornamental Fence Repair Program, from the Department of Public Works to EC90-462, Ornamental Fence Repair Program, Department of Engineering and Construction."

Which was read.

Also,

Bill No. 3533

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for the Renovation and Repair of Ornamental Fences at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

The Chair:

I'd like my remarks brought forward on the Ornamental Fence bills, 3531, 3532 and 3533.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. WAGNER'S COMMENTS ON BILL NOS. 3531, 3532 & 3533, WEDNESDAY, DECEMBER 11, 1991)

Mr. Wagner:

Mr. Reginella, what has happened here? The monies for 1991, we have not spent them?

Mr. Reginella:

Apparently not. These accounts were in Public Works, so now we're transferring them into the Department of Engineering and Construction. It appears as though -- I would have to say that the nature of the work is consistent with or in line with the capital improvement program which is addressed by the Department of Engineering and Construction, so we're taking over.

Mr. Wagner:

So these dollars are going to roll over in the 1992 Capital Budget.

Mr. Reginella:

Right. The last two bills in essence in power as to utilize them, these dollars, for the intended purposes.

Mr. Wagner:

For the intended purposes of correcting all the ornamental fences in the City of Pittsburgh; is this enough money?

Mr. Reginella:

Probably not.

Mr. Wagner:

How much do we need?

Mr. Reginella:

I can't answer that. But ornamental iron fence maintenance has been an ongoing program to the extent that we executed and so I think that you will see in future years a line item from time to time allocating additional funding.

Mr. Wagner:

The problem is, we're not doing the work here and that's really what it comes down to --

Mr. Reginella:

-- I have to agree with you.

Mr. Wagner:

-- and the monies continue to sit in the budget and they are not utilized for what I believe Council considers to be a very important purpose.

I would like to know and I was going to bring this up when the Mayor's Office came in front of Council tomorrow and I may still do that, but I'd like to know the total amount of money needed to repair and paint all the ornamental fence that is in this city. First off, I want everyone to realize that I consider this ornamental fence to be historical in nature and it has deteriorated significantly and in some instances it has been damaged due to automobile accidents, etc., or simple rust and deterioration. A good example is McArdle Roadway, the entire length of it. But I want a commitment from the Administration not just to utilize the monies that Council has allocated but to improve and correct and bring up to date the condition of this fence city-wide and I need you to tell us within three or four days before we begin to vote on the Capital Budget how much money is necessary to do that. And I consider this to be a very important item because it visually impacts this city and projects an image of Pittsburgh, plus it's historical in nature and I think it's very important.

Mr. Reginella:

I agree.

Mr. Wagner:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 3534

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the maintenance of the brick street surface on Grant Street; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3535

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Board of Public Education of the School District of Pittsburgh for reimbursement of their share of costs incurred during the Renovation of the Baxter Playground; and providing for the deposit of such reimbursement."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 3620 Resolution reappointing Robert B. Quigley, Jr., 3953 McClure Avenue, Pittsburgh, PA 15212, as a District 1 Member of the Pittsburgh Cable Communications Advisory Committee, for a two-year term to expire December 31, 1993.

Which was read.

Also,

No. 3621 Resolution reappointing Norbert Rebholz, 300 Suncrest Street, Pittsburgh, PA 15210, as a District 4 Member of the Pittsburgh Cable Communications Advisory Committee, for a two-year term to expire December 31, 1993.

Which was read.

Mr. Ferlo moved to approve the appointments.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Mr. President and Members of Council, the format and the procedures for the discussion following this meeting regarding the tax bills as well as the discussion that would take place in the actual budget preliminary vote this afternoon does not provide for any up front discussion on general concerns that we have with the budget.

I believe very strongly, based on discussing this with a number of colleagues, that there still is ambivalence and concern about the Mayor's Fire Bureau reorganization proposal. However, since there no actual amendments on the table, it's difficult to express our dissatisfaction and talk frankly as far as Council's policy regarding the reorganization.

Obviously I have expressed my concern about the quint proposal, so have others, but there's general concern about the issue of the squad cars. I think there are a number of Councilmembers that have concerns. I would very much like to hear from my colleagues regarding these issues so that proper amendments can be suggested by the 1:00 meeting.

If there is a majority support and concern about some of these issues, then I think we have to create an environment in which we have a lack of support for the overall budget until such time that we can meet with the Administration this week prior to final vote on Friday and try to come to some reconciliation regarding the Bureau reorganization.

Mr. Ricciardi:

On the same subject, I also have some concerns. Number one is, for example, we went out and spent nearly \$179,000 on a study. I carefully reviewed that study. In that study it talked about how great the squads were, the good work they did, how effective they were and how they fit into the entire department.

Also, Councilman Darkins and I took a ride on a possible quint through the Mount Washington area over to the Carrick area and on Sandwich Way we got hung up for three minutes and ten seconds and it took six of us to back that up.

I also have some concerns. I was sort of

disappointed with Mayor Masloff when she said her deployment will stand. It's our responsibility to make sure we properly fund the Fire Department and make sure our apparatus is working.

I'm not sure where we go from here but I would like to say that I have reviewed that study and it made some good recommendations and it never recommended getting rid of the squad cars. There's five squads in the City of Pittsburgh, the South Side, Carrick, Bloomfield, North Side, East Liberty, and I have had some communication with community groups and residents throughout the area and I just believe the squads are effective. Thank you.

Michelle Madoff:

I share the concerns of my colleague, Mr. Ricciardi, about squads. I personally went up and visited with one of the Chiefs, had extensive conversation with the firefighters. I believe, not only do I believe but I know the squads are important because in my district we had two fires within a very short period of time and the squad car was the first one on the scene. The firefighter got up on top of the roof and vented the building and we still had a death up there.

I have great concerns about the way the whole operation is being developed. We get a squad car come in to the City to just check its brakes and we don't have the proper size and it can't go around corners.

I think that we are very vulnerable, we are self-insured. If the wrong decision is made and the wrong equipment, I think the City taxpayer will suffer. I think it's important, and it has happened in other cities where there has been litigation brought because equipment didn't get to a fire early enough or because the ladder didn't reach when it could have.

I would urge the Administration to think very long and very carefully about the cost-effectiveness of some of the changes because they may be more costly in the long run.

Mr. Ferlo:

Mr. President, I'd like to clarify my comment a little bit further. What I will be proposing for the 1:00 meeting then is a way of continuing this debate and trying to come to some stalemate. For instance, if we put back in a motion relative to not purchasing the quints, if we put back an amendment suggesting that the staffing levels and squad car or the other bureaus be increased, let's face it, it's a placebo, it's an empty gesture, it doesn't mean anything, and we all know that.

So, what I would propose, then, is that I will submit an amendment is afternoon for purposes of carrying on this debate. I would make a proposal to eliminate the key staff positions in the Mayor's Office as a way of creating a stalemate. That gives us between now and Friday to come to some understanding with the Administration regarding Council's concern of which it seems to be a majority regarding the squads and the quints.

Michelle Madoff:

In principle I would support that but I think it's an empty gesture because I believe we do not have a vote on what is happening in the equipment. I have told this to the Firefighters: We cannot create anarchy. We cannot stop the budget. We cannot stop people's pay checks.

I have expressed an opinion. I have asked the Administration to rethink what they're doing. We do not have a vote and to carry on dialogue is non-productive.

The Chair:

Let me just say that if we're talking about things we're going to do this afternoon in the budget, why don't we just talk about them then? I think that would be better for all of us.

We need to convene a Standing Committee Meeting by 11:30 so I would ask that we recess this meeting until 2:00 p.m. on Friday, December 20, 1991 which will be our final session.

Michelle Madoff:

So moved.

Mr. Regan:

Mr. President, I wanted to speak on another matter, if it's not out of order.

The Chair:

You can, Councilman Regan, but we need to get a meeting started on Standing Committees either by recessing this meeting and starting that meeting or adjourning this meeting and starting that meeting by 11:30.

Mr. Regan:

Well, my business is pertaining this meeting, Mr. President.

The Chair:

Go ahead. Final comment.

Mr. Regan:

I just would like to say that I passed out a resolution to my colleagues requesting the Chief Justice of the Supreme Court of Pennsylvania to exercise his power to devise and implement a

plan whereby the functions of City Court, Traffic Court and Housing Court, can be integrated into the unified State system.

The Chair:

Councilman Regan, that will be on the agenda at 11:30.

Mr. Regan:

I understand that, Mr. President, but I just thought it fair that the public is listening and what could we say about City Court.

We could give an additional 81 police officers to fight drugs and crime in the City of Pittsburgh. We could bring back approximately 70 laid off workers. Lower real estate taxes from 34.8 of the budget to 34 percent of the budget and the average savings to the taxpayers would be \$26 per family. Lower the amusement tax to 7.5 percent from 10 percent bringing more affairs and creating more tax revenues.

We could give 18 senior citizen centers \$144,444 each. We need \$900,000, we could keep the Aviary. We could put on 101 additional firemen instead of taking them off. We could celebrate the 4th of July on the 4th instead of the 3rd. 33 swimming pools in the City of Pittsburgh could receive \$78,000 in improvements to the pools and the buildings. We could pay an additional 330 part-time workers \$7,878.79 per year for 1,853 hours of work each year. Our parks could be a show place if we had this many part-time workers averaging 35 hours per week.

We could asphalt 577,777 feet of streets which would be 109 miles, a distance from Pittsburgh to Erie with a 2-lane road. We could subtract \$18 from the price of a swimming pool pass to 140,000 residents of our great City.

We could give 210 additional groups

\$12,380 for each project. These groups ask for donations yearly which benefits many Pittsburgh families. Of course, the total monies requested for 1992 was \$8.2 million. The average is more than what some groups ask for leaving that money to be added to the other groups.

I wanted to submit that to my colleagues. Thank you very much.

The Chair:

Thank you.

Mr. Cohen moved to approve the Minutes of Tuesday, December 3, 1991 and Tuesday, December 10, 1991.

Mr. Darkins seconded the motion.

Which motion prevailed.

Michelle Madoff moved to recess this meeting and meet again on Friday, December 20, 1991 at 2:00 p.m.

Mr. Ricciardi seconded the motion.

And on the motion of **Michelle Madoff**

Council recessed.

Pittsburgh, PA
Friday, December 20, 1991

And the hour of 2:00 p.m. having arrived and the time of recess having expired, Council reconvened.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 3622

Report of the Committee on Finance for December 17, 1991 transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3409

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 253, Parking Tax, Section 253.02, Tax Levy and Rate, by changing the rate of tax." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

Mr. President, I'd like to make a motion that on Bill 3409 that the effective date for the parking tax increase shall be set at February 1, 1992 so as to allow the President to establish a second public hearing.

Mr. Cohen seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 3416

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, 'Fiscal', Article IX, 'Property Taxes', Chapter 263, 'Real Property Tax', Section 263.01, 'Levy and Rate on Lands and Buildings', by levying the real property tax for 1992."

Which was read.

Also,

Bill No. 3571

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, by changing the Rate of Interest on certain delinquent Earned Income and Home Rule Taxes." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3606

A Resolution entitled, "Resolution amending Resolution No. 1400, approved December 27, 1990, entitled: 'Resolution authorizing and directing the Director of the Department of Finance to issue partial checks to supplement the pay of any City employee who is called to active military service (any Reserve, National Guard Component of the U.S. Armed Forces or Coast Guard) due to the Middle East Crisis/Operation Desert Shield, amounting to the difference between their military pay and City salary, and to maintain all health care benefits for said employees, their spouses and dependents during their term of absence in the Middle East, by deleting due to the Middle East Crisis/Operation Desert Shield and in the Middle East."

—(SPONSORED BY MR. COYNE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3607

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Albert Petrarca, 5703 E. Liberty Boulevard, Pittsburgh, PA 15206, in the amount of \$525.00 in payment for professional services rendered to Councilman Jim Ferlo."

—(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo:

Mr. Chairman, I move to make Bill 3607 law upon the signature of the Mayor.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 3608

A Resolution entitled, "Resolution authorizing the transfer of fifty-five thousand dollars (\$55,000) from Code Account 51, Index Code (005108), Postage to Code Account 1461, Index Code (146100), Fire Salaries, Bureau of Fire, Department of Public Safety."

Which was read.

Also,

Bill No. 3609

A Resolution entitled, "Resolution authorizing the transfer of sixty thousand dollars (\$60,000) from Code Account 1016, Index Code (101600), Salaries Mayor's Office and fifteen thousand dollars (\$15,000) from Code Account 1042, Index Code (104208), Salaries, City Information Systems to Code Account 1461-1, Index Code (146118), Fire Premium Pay, Bureau of Fire, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3610

A Resolution entitled, "Resolution requesting the Chief Justice of the Supreme Court of Pennsylvania to exercise his powers to devise and implement a plan whereby the functions of

City Court, Traffic Court and Housing Court can be integrated into the system of District Justices in effect throughout the City."
---(SPONSORED BY MR. REGAN)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. DARKINS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3623

Report of the Committee on Finance for December 20, 1991 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3568

A Resolution entitled, "Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1992."

Which was read.

Also,

Bill No. 3569

A Resolution entitled, "Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1992."

Which was read.

Also,

Bill No. 3570

A Resolution entitled, "Resolution adopting and approving the 1992 Capital Budget and the 1992 Community Development Block Grant Program and approving the 1992 through 1997 Capital Improvement Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Cohen:

Mr. President, if we are done with all City business -- Are we?

The Chair:

I'm not certain.

Michelle Madoff:

City business. I think actually probably what we're all going to say relates to City business but the issue is that I've asked the Parliamentarian to be here to clear up an issue.

In previous years, in the years I have been here, there have been two occasions where I was present, one previous to my being elected, where Council met on New Year's Eve if there was a veto. My understanding has always been, based on the fact that we had to come in New Year's Eve and one year when Amy Balingier was here they stayed until Midnight. I remember one year I was going to come in by ambulance; I was ill. We had to be here on the 31st. And if we take ten days from today, I believe that brings us to just about New Year's Eve.

Mike Perry tells me that that was not necessarily legal but just the silliness of whoever was running the Council at that time. I did not know. If they said we had to be here in ten days, we had to be here in ten days. It was the wish of that Council at that time.

I would ask that the Parliamentarian give us an answer to that. Is it ten days from the time the Mayor vetoes, which could be any time in the next three or four days, or is it ten days from today that we have to be here?

Parliamentarian:

The Mayor has ten days from the time you submit the legislation.

Mr. Ferlo:

From the time that she receives it.

Michelle Madoff:

And then we have ten days after that? After she vetoes it, how much time do we have to get back here if we wish to override the veto?

Mr. Cohen:

The next legislative session.

Michelle Madoff:

That's what I'm trying to find out. So that could be the 6th, is that correct? The day of the swearing in?

The Chair:

Yes, it could be.

Michelle Madoff:

Do you understand my confusion? Three

Councils that I know of had to be here on New Year's Eve and I just assumed it was in ten days. Thank you.

The Chair:

Just as a point of clarification, Councilwoman Madoff's concern is whether or not items in the budget are vetoed, and I'm sure every Councilmember and the citizens are concerned with that also. If items are vetoed, the Mayor has ten days from the time in which she receives the legislation to veto it. That could be Monday; it could be ten days from now.

Once that action is taken, if it is taken, Council then responds to those vetoes either by setting a meeting immediately after that or dealing with that issue at the next regularly scheduled meeting which is the first meeting in January, January 6th. However, I do want to state that a meeting can be held up until January 6th with the existing Council and Councilman Coyne and Councilman Regan would be able to vote on any items that are part of this budget up until that date so that the City of Pittsburgh has nine Councilmembers, a full legislative body, at all times.

Michelle Madoff:

I thank you for the clarification but I think anyone can understand my confusion when we were forced to come in on New Year's Eve. I would assume that that was ten days from the final vote. Thank you.

The Chair:

We're all concerned about it.

Councilman Milliones, Finance Chairman, would you like to address your colleagues about the budget?

Mr. Milliones:

Yes, I would. I want to thank my colleagues for passing this budget which has been one of the most difficult in years. In the face of a sinking economy, the Mayor presented a very lean budget which called for a reduction in staff and in some services. Council held the line, however, for the most part in that this budget increased by less than two percent over last year. This year's budget amounts to \$341,470,605.

I believe that Council acted very responsibly in that the amendments that were presented generally were revenue neutral. None of us wants to lay off employees, especially over the holidays. We regret this very much. But the reality is that this trend is likely to re-occur in 1992 unless there is an upturn in the economy. And hopefully the one percent reduction in the prime interest rate announced this morning will provide a spark in that regard. I surely hope so.

Again, I thank you. It has been, at times, a difficult year but I think at other times very productive and thank you so much.

Happy New Year to you all.

The Chair:

Thank you, Councilman Milliones.

Seeing that this may be the last meeting, I think that it's appropriate to give every Councilmember an opportunity to say what they would like also, pertaining to the budget or not pertaining to the budget. We'll begin with Councilman Cohen.

Mr. Cohen:

Mr. President, I want to take a moment to thank you, Mr. President, and you, Mr. Finance Chair, for steering a straight course during this

budget proceeding. I think it was a very responsible Council that put this budget together and I want to thank all of you.

Most of all, I want to thank my colleagues and everybody who is listening and wish them a Happy Holiday and a very happy and healthy New Year, and particularly our departing colleagues, Councilman Bernard "Baldy" Regan and Councilman Michael Coyne. I wish them the very best of luck. Thank you.

Mr. Coyne:

I would like to take this opportunity to thank the citizens of the City of Pittsburgh for giving me the opportunity to serve on Council and to thank all my colleagues for having the opportunity to work with each and every one.

It has been said many times that it's been a very professional Council and I have enjoyed it. We've had our ups and downs but I think there have been more ups and downs. Thank you very much.

Mr. Darkins:

Mr. President, first of all, I'd like to say to all my colleagues from the 9th Council District, that had it not been for them I wouldn't be here as an elected official.

Secondly, I would like to say that it has been an experience. In my 30 years that I have served in government, serving as a City Councilman has been an experience that will for a long time be remembered.

I wish my colleague, Councilman Michael Coyne, well in his new office as the Prothonotary of Allegheny County. I didn't know Mike Coyne really until I came to Council and served with him. I hope he has the best of success in his endeavors.

Also, I'd like to wish my colleague, Bernard Regan whom I have known for over 30 years and he has done a very good job here as a City Councilman and we hope that in his endeavors in what he endows to do in life will be a great success with good health. Thank you very much.

Mr. Ferlo:

Mr. President and Members of Council, first of all, I have a lot to say about my two best friends on Council, Mr. Regan and Mr. Coyne. But I think, unfortunately, we'll be back one more time. I'm pretty confident that the Administration will veto the budget due to the proposal that we have in it regarding the retirees and the proposed one percent increase on parking. Also, I believe that the Administration intends to veto the reform legislation that we passed regarding the parking meters uniformity around the neighborhood business districts. So, I'll hold those accolades for another meeting.

The only think I can say to the residents of the City of Pittsburgh is that I hope they go out and buy a smoke alarm in the next couple of days. The one thing I'm very disappointed with, and I think it's been quite clear to all of my colleagues, normally I would vote no on the budget but, as somebody who spent a lot of time lobbying all of you to make various amendments, I didn't think it would be responsible to vote no. But that does not mean that I am not exactly pleased with this budget. I am very disappointed in the proposed situation of the Fire Bureau. We've gone from a Fire Bureau proposed reorganization to a disorganization.

This budget, as far as I'm concerned, is not going to meet the needs of people in our City next year as it relates to fire protection and I feel very strongly that we have been remiss in our duties as it relates to not challenging what I know

will be a very failed policy.

Other than that, Happy New Year.

Michelle Madoff:

I'd like to start by wishing Michael Coyne much happiness. If everybody doesn't know, he's getting married and he's going on his honeymoon. I know that he's going to go on to a wonderful career with a supportive wife, a lovely lady, and I offer my congratulations.

Baldy Regan has a history and a career of being a public servant and I know he will go on to do wonderful work in the same field. I told him I'd give him a letter of recommendation. We'll canonize him.

With reference to this Council, from someone who has been a victim of an abusive Council repeatedly, I cannot thank you enough from my heart. This makes me want to cry. You have been wonderful to me and I thank you.

Mr. Milliones:

I have nothing else other than that I want to acknowledge and thank the Council budget staff who did work. They come in on weekends and Kurt at times I think has a bed here, especially during this process. And he has been a tremendous help to the entire Council. Thank you.

Mr. Regan:

Mr. President, I would like to say at the conclusion of my term of office I would like to say that I have enjoyed being able to make a contribution with the Members of this distinguished body. The past two years have been a memorable experience for me. Never in my wildest dreams as a youngster did I ever image that as a son of immigrant parents I would

have the opportunity to serve on such a distinguished body as we have here in the greatest City in America.

I would like to personally thank the nuns, priests, brothers and lay teachers that gave me my education.

As a Councilman, I have attempted to be fair and impartial in all my deliberations. My attendance record has been among the best in City Council and I have never avoided a difficult controversy, thanks to my pal, Dr. Milliones. The tough issues have provided me with the greatest respect for my colleagues. We did not always agree, but we respected each other's viewpoints and we deliberated in a free society which allows each of us to express our opinions.

The media, God bless them, has not always agreed with me but I respect the reporters, columnists, newscasters and those who cover City Hall. They have a job to do and they do it well. I would like to thank them for the many comments and kindnesses to me, and I would also like to let them know that I never did live at the Edison Hotel.

To the staff of City Council I would offer my gratitude for the manner in which they served me and the City Council, for the long hours of service, and for the many courtesies they have extended to me and my staff. I give them my heartfelt thanks and appreciation for a job well done.

Particularly I would like to thank my staff, Sandy, Amy and Jim, for their loyalty, patience and dedication. Without their help and encouragement, many of the things that we have accomplished would never have been able to be reality.

I'd like to thank Mr. Perry and Linda Johnson who head up the staff for a job well done.

You're truly great people and the staff on this floor I can match with anybody in the United States.

I'd like to thank the Police, the Firemen, the Paramedics and Building Inspectors for a job well done, being Chairman of Public Safety.

And I'd like to thank super-security Spitz for the job that he has done here in Council, towing all the cars away from outside the building.

Most of all I would like to thank the people of Pittsburgh and, in a special way, those great people from the North Side. God bless them; they're great people. They have encouraged, advised, supported me during my term of office.

Someone once said that victory has many fathers but defeat is an orphan. Today I don't feel like an orphan. I echo the sentiments of that great Yankee, Lou Gehrig, who upon being honored at the close of his career said, "Today I consider myself the luckiest man on the face of the earth." And I really do mean that. I feel lucky because I have had the opportunity to serve as a member of this legislative body for the last two years. I feel lucky that my immigrant parents decided to come to Pittsburgh giving me the chance to seek office successfully and to contribute in some small way to the betterment of the people of this great City.

When you hear "Only In America", don't think of Baldy Regan. Think what the phrase really means. Think of how fortunate we all are to live in this great nation.

I thank God for my many blessings and I thank all of you for your kindness, friendship and understanding, because I do get a little wild once in a while.

I'd like to invite the Mayor next year to

come with me. I'd like to get a couple tickets to the Pirate Opener and have her be my guest at Three Rivers Stadium.

Mayor, I have to say this, God bless you; you're a fine lady.

And to our President, Mr. Wagner, you have done a tremendous job. I know it's tough to handle people who have a certain ability to get a lot of things accomplished.

I'd like to thank the Honorable Jake. I hope I'm worthy enough, Jake, to wear your scarf some day.

In closing, I would like to say thanks to everybody. I brought my two sons down here today and I'd like them to stand up. And I'd like to say that It Could Only Happen In America having colleagues like you. Thank you very much.

Mr. Ricciardi:

I'm going to be very brief because I would like these Chambers to echo the words of Baldy Regan last.

I'd just like to thank you, Councilman Wagner and Councilman Milliones, for your leadership and your hard work in everything you have done for this City Council.

I'd like to thank my colleagues for their spirit of cooperation.

I'd like to thank my colleagues who are leaving: Michael Coyne who showed me how to take those courageous votes and not worry about your self interest, and I think Michael has done that repeatedly throughout the two years. And Councilman Regan, I'd like to thank him for his big heart. Everything he has done for the people of the City of Pittsburgh and the people of the North Side and for what he showed to us.

Thank you.

The Chair:

I'd like to add a word, if I may.

I want to thank all of you, my colleagues, for being as good as all of you have been as Councilmembers. I have been here not a long time but not a short time, going on eight years, and I have said repeatedly, publicly, and I'll continue to do it, this is the best Council I have ever served on. And it could not have been accomplished without the cooperation and the sincerity that all of you have for the people of Pittsburgh and trying to make this City a better City for all of them. I truly mean that, and the Record will reflect it, that this Council can go back historically and find that this Council has been very sensitive to many, many needs here in the City of Pittsburgh.

In addition, I'd like to thank Mr. Perry for doing an excellent job again with his very capable staff of people within this Council. And certainly during the budget time the budget staff for doing an exceptional job. Since I've been here, Mr. Perry and his staff, the numbers have been reduced significantly and he continues to do a very, very capable job over the years, even with less numbers of people.

And certainly the entire Administration for working with Council in whatever way they work with Council, and maybe some ways they don't work with Council. But still, we all know that really Council performs two basic functions: It writes legislation and it passes the budget. And we need the Administration's cooperation every day to get things done in our district and City-wide.

After the Administration, the most important group, truly, is the public because

without the public's input, without the public's ideas coming to us, without the public's suggestions, we would not be very good at what we do. And truly, I know how the phone rings around here and how the letters come, and the public's concern about a multitude of issues each and every day, not just the budget, not just legislation, but daily concerns. And I offer my gratitude to them for being interactive with all of us and with City government.

Today we have pensioners here. We have Patrick McNamara here. They have been extremely helpful in making recommendations to Council. Some things we consider; some things we don't consider. But we need that kind of interaction every day and every year and government will serve the people better with it.

This legislative body, there's no doubt in my mind, is a open, is as public, is as accessible, as any legislative body in America. And that makes for a better legislative process.

I'd like to wish my two colleagues that are leaving well. Michael Coyne; I have served with Michael for four years and he's moving on as the Prothonotary of Allegheny County. Michael has done an exceptional job

Michael, I'd just like to say in the words of Harry Truman, "When you find out what the hell a Prothonotary does, let us know." Report back to us. But, sincerely, we know that and we know you'll do a good job.

Councilman Regan, a person who has truly become a friend to me in the past two years. I have known Councilman Regan for years but I really didn't know him. And when I stand here and look at Councilman Regan and listen to Councilman Regan, I recall an argument that he and I had about a year and a half ago. It was really

more than an argument in one of the rooms back there. It became a shouting match where he and I let each other know what our feelings were about a couple of things. And it was really a growing experience.

I have enjoyed immensely serving with him on Council, his sincerity, his humor, and we're going to miss a touch of that here, I'm certain. But I know Councilman Regan will land on his feet and will be doing well and will be serving the public somehow in some way into the future, and I wish you well. I wish you well and I wish Councilman Coyne well.

Finally, I'd like to say that I want to thank this Council for permitting me to serve as Council President. It has been a true honor to me to be able to do that. But I said each and every day also that this Council, even though the Council President is supposed to be the direction of Council, it's really the body and it's every individual. It's like a team; it's like a football team. And when any one member of that football team is not functioning the team doesn't work. And we have that same type of team effort, I believe, here in Council and I'm sure that will continue into the future.

Again, I thank you all.

With that, unless there's anything to add, we need a motion to adjourn.

Mr. Millions:

So moved.

Mr. Regan seconded the motion.

And on the motion of **Mr. Millions**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXV

Tuesday, December 31, 1991

No. 50

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER Asst. City Clerk

Pittsburgh, PA
Tuesday, December 31, 1991

PRESENT:

MR. COHEN	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. COYNE

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Would the City Clerk please read the purpose of this meeting?

The Chair presents

No. 3624 Communication from Jack Wagner, President, City Council, calling a Special Regular Meeting on Tuesday, December 31, 1991, at 10:00 a.m. for the purpose of acting on the Mayor's veto on Bill No. 3482 entitled, "An Ordinance amending the Pittsburgh Code, Title Five, Traffic, Article VII - Parking, Chapter 543 - Parking Meters, Section 543.01, Parking Meter Zones, by providing uniform hours of enforcement of metered parking on City streets." and any other bills that the Mayor may veto.

Which was read, received and filed.

Also,

No. 3625 Communication from Mayor Sophie Masloff, returning with her veto Bill No. 3482, entitled, "An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 543 - Parking Meter Zones, by providing uniform hours of enforcement of metered parking on City streets.

Which was read, received and filed.

(MAYOR'S VETO LETTER)

December 23, 1991

Honorable President and Members
City Council
City of Pittsburgh
510 City-County Building
Pittsburgh, PA 15219

RE: Bill No. 3482

Dear President and Members:

I am returning herewith Bill No. 3482 which I hereby veto.

I understand the desire of Councilmembers to be responsive to the needs of merchants and to help maintain the viability of our business districts. I think, however, that the legislation is too broad and that its impact has not been fully considered. Additionally, because parking revenues are pledged to the payment of outstanding bonds, changes to revenues of this magnitude need to be reviewed more carefully.

Accordingly, I would ask the Planning Department and the Parking Authority to thoroughly review the issues and to work with Council to propose more narrow legislation that will more specifically address the issues of concern. You have my assurance that I will work with Members of Council on this matter but urge that you sustain the veto of Bill No. 3482.

Very truly yours,

Sophie Masloff
Mayor

(END OF VETO LETTER)

Mr. Ferlo moved to override the veto.

Michelle Madoff seconded the motion.

Mr. Ferlo:

Very briefly, Mr. President. I'm somewhat disappointed in the Mayor's veto. I know there are concerns on the part of the Administration but I would ask Council to appreciate the importance of this legislation. It is fair; it is reasonable. It would create some uniformity in our neighborhood business district corridors. I think it's important that we enhance the viability of our neighborhood business districts.

We make more in the City revenue-wise from the mercantile and the business privilege tax. The meters should be there to encourage turnover. If you look at the survey that I had supplied initially when Council unanimously supported this legislation, we find that the meters throughout the City at the neighborhood commercial level, lack uniformity. Some of the enforcement has been extended to be 9:00 in the evening as opposed to 6:00.

Also, the legal allowable time in the meter in many neighborhoods, especially some of the more viable neighborhood districts, has been reduced to only one hour which I would argue strenuously does not permit someone, be they a City resident or non-City resident, to come into the district and to shop or go to a theater or go to dinner or do things that involve spending money and helping out the businesses in our City.

So, I would ask consideration from all of you to consider the merits of the legislation. It creates uniform hours of enforcement, 8:00 a.m. to 6:00 p.m. in neighborhoods. This does not involve the parking surface lots controlled by The Parking Authority, it does not involve the Downtown situation; only the neighborhood business corridors. And also, it would at least allow the legal minimal time on a meter to be at

least two hours. I didn't get into rates.

The third element of this bill is to create a master plan by the Administration with public input by merchants and ultimately to be adopted by Council. That would happen in the future. Thank you.

Mr. Cohen:

With all due respect to the Mayor, I supported this bill the first time around and I'm going to be supporting it today.

After talking to several merchants, I realize that there is real unhappiness out there with the current system. It is not a uniform system. Not only business districts relative to each other but also within some business districts there isn't uniformity and that's not right. I think we need that.

Also, with the increase to two hours - One hour just isn't enough. It really isn't. And people don't like to eat or shop while looking at their watch. I think two hours is reasonable and that's why I think we need to support this. We need to do everything possible to support the neighborhood business districts and I think this is a very reasonable bill.

The Chair:

An aye vote will reflect overriding the veto and a no would reflect not overriding the veto. Six votes are necessary to override the veto.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the veto was overridden.

MOTIONS AND RESOLUTIONS

Mr. Regan:

I'd like to wish our famous news media a Happy New Year.

Mr. Ricciardi:

Mr. Wagner, I realize this is a special meeting that has been called so I will attempt to be very brief.

Mr. President, colleagues, during the budgetary hearings, as you will recall, Director Cannon and Chief DeRoy were before us for Public Safety and I raised the concern about the Allegheny County Crime Lab possibly being closed. At that time, I was very concerned because I realized the 180 days from which a defendant must be brought to trial. As a matter of fact, Chief DeRoy was even more vocal than myself stating that possible guilty felons can be released because of that.

If that Crime Lab would close, that would be an Administrative nightmare for the City of Pittsburgh because we would then have to travel to Greensburg. And Greensburg would be

receiving many more cases because of the surrounding counties. Then Director Cannon had promised that he would raise the issue with the Administration.

Two weeks later, Mr. President, this City Council passed a resolution dated December 11th, and I thank Michael Perry for writing the letter, expressing our concern on what impact the City and surrounding region would have with no lab and delaying the trial period of about 100 days. We had requested that a meeting be set up with the appropriate City and County officials to alleviate this problem.

Yesterday on the news I had heard that the Allegheny County Crime Lab would be closed on March 1st. I suspect that the County is calling the State's bluff in helping to fund that. I immediately contacted Sal Sirabella who is the Director of Administration with Allegheny County and after him checking the logs of his office and Commissioner Foerster's office, the City of Pittsburgh, the Administration, never contacted the County expressing our concern. Now, the Administration was concerned that closing Traffic Court would be an Administrative nightmare.

What I'm saying is that if Allegheny County closes that Crime Lab, that there's a strong possibility that guilty felons will be released because the evidence will not be looked at in time for the 180 days.

I'm very disappointed that the Administration did not look at our resolution, did not contact Allegheny County. I realize that the spirit of cooperation now with the County Commissioners is not the best that it should be, but if we never go up to bat, how are we going to get that hit?

I would like to make another resolution that we ask Mayor Masloff to contact County

Commissioner Tom Foerster by writing and telephone expressing our concern, not in a confrontational way but in the spirit of cooperation and what we can do to work with the State and work with the County to make sure that the County Crime Lab is not closed.

Mr. Ferlo seconded the motion.

Mr. Regan:

On the same subject. Greensburg, their Crime Lab handles not only that county but five or six other counties and they do about 6,000 cases a year. Allegheny County does about 8,000 a year, just in Allegheny County. And maybe six or seven counties, or five or six counties, do only 6,000. So, it is really something that is needed.

And like the Honorable Councilman says, the Supreme Court mandated that if you're not brought from arrest to trial within 180 days, you can be released.

The Chair:

So, succinctly, Councilman Ricciardi, your motion is --

Mr. Ricciardi:

My motion is for Mayor Masloff to really go back to December 11th and contact Allegheny County Commissioners, express our concern about the Crime Lab being closed, and in the spirit of cooperation what can we do working with our lobbyist, Chuck Kohling.

Michelle Madoff:

Same subject. Let's get real. Obviously, it wasn't done in December. Perhaps we ought to have this Council, Mr. Ricciardi and a committee of the President of our Council, the Finance

Chairman. I think it's a very important issue and I think that we ought to act independently. That doesn't mean that we don't support the Administration doing it but we asked them to. Maybe they did; we don't know.

Mr. Ricciardi:

No, if I may. This is very important that I interject. Sal Sirabella, the Director of Administration, has stated that Commissioner Foerster or himself did not receive any correspondence, either written or by telephone, from the Administration expressing their concerns that the Crime Lab will be closed.

That is really my beef with this whole affair, that the Administration not only just didn't bypass Chief DeRoy's statements and Director Cannon's statements and our resolution. They don't realize that if we don't go up to bat, we're not going to get a hit. We're striking out in Harrisburg; let's not strike out in our own backyard dealing with the Commissioners.

Chief DeRoy has stated that if that Crime Lab closes, there's a strong possibility that guilty felons, rapists, murderers, and others, can be released because we would not make the 180 day statute of limitations. I'm saying, let's ask the Administration to contact the Commissioners about the closing of the County Lab and what we can do in the spirit of cooperation to help them.

Michelle Madoff:

Okay, we heard it twice. Now I'm going to say it again. Nonsense. Let this Council, through either a special hand-delivered letter, set up a meeting with the President of this Council as soon as possible simply because of what you just stated.

You asked the Administration to do it and, for whatever reason, they're uncomfortable

doing it or they think it's pointless, then let us perhaps be the mediators of this whole issue and let Council move to meet with the Commissioners and see if we can do something about this very serious matter. I would ask you to change your resolution. You have already asked the Administration. You have been told they didn't do it. Let the President of Council and Councilmembers who wish to be involved go ahead and do it. Let's deal in logic.

The Chair:

I'd be more than receptive to call Commissioner Foerster this afternoon and any Councilmember that would like to join me to sit down with him and express our concerns.

Mr. Ricciardi:

I think Michelle has a good idea and I'd like to change that resolution that the President of City Council, Jack Wagner, immediately contact Commissioner Foerster this afternoon.

Michelle Madoff seconded the motion.

Mr. Ferlo:

Mr. President, I'm not sure I understand fully the thinking of the Commissioners. It seems from reading in the newspapers that it was all budgetary but I think we all have learned very clearly that there's enough chaos in the criminal justice system without having this chaos regarding the importance of the Crime Lab.

I had assumed, given the fact that they had at least over a month ago talked about their budgetary concerns, that they would at least consider some type of a participation fee by the 130 municipalities throughout the County, besides the City of Pittsburgh, buying into the services if that were appropriate for the Crime Lab rather than everybody trying to run their own

Crime Lab. It could be done on a user fee basis.

Secondly, there was discussion and I don't know what happened to it, but there were the comments made that of the 8,000 people arrested, a large number of them for drunk driving or other kinds of crimes that involve lab tests, that that person who legitimately is found guilty should help pay for that service as part of the obligations of having been arrested.

So, I don't know what happened to these two revenue sources, municipality participation fees and people who are arrested, convicted, being charged some type of fee. That just went by the wayside.

So, I would greatly encourage the meeting to happen and I would hope that the Crime Lab could remain open until such time that these other revenue options are explored. And I think it's very important, as Michelle and Mr. Ricciardi mentioned, that we meet directly with the Commissioners.

Mr. Darkins:

Mr. President, I think another thing that should be taken into consideration, and let's look at the other side of this factor in regards to the Crime Lab, and that is that after the formal arraignment there is ten days posted for a person to have a preliminary hearing. And then after the ten days has acquired for them to come in for the hearing and if you don't have the necessary information from the Crime Lab, then it is postponed. It could be postponed for another 30 days. And still you don't have back from the Crime Lab. That's if we cannot make some type of arrangement with the County Commissioners. It's going to be a great burden on the taxpayers because it's their tax dollars that are running the City Court.

The Chair:

What I'm not sure of is whether or not the other counties are financially supported for the operation of this Crime Lab by State government. I think it's something we have to pursue.

Mr. Ricciardi:

If I may interject, Mr. Wagner. The other counties are subsidized to a certain extent from the State. Allegheny County's Crime Lab was not, so obviously the Commissioners are calling the State's bluff, and I support the Commissioners in that effort. But I would really like the City of Pittsburgh to start getting involved in some of these regional issues, especially this one. Again, Chief DeRoy's comments on the public record would really state it all. He did it very eloquently.

The Chair:

Okay. Quite frankly, I don't think we need a vote on anything here, if that's acceptable to all of my colleagues.

Michelle Madoff:

On another subject. I thought we had put the issue to rest for 1991 and we would go into 1992 in a more enlightened pursuit of our activities. But I was nonplussed, as I'm sure my colleagues were, to read about how incompetent we were in our vote and that we voted emotionally on the Controller's Office.

The fact remains, and I believe and I have stated to my Letter to the Editor and I have another one going out to the Press, that we voted based on fact. There was a study done. It was not a telethon, it was an in-depth study. In the Controller's Office we did not compare a Controller's Office with a Controller's Office. We compared the actual jobs done by our City Controller, the duties of our City Controller, with

the duties in another city and how many people it took to do the job.

For example, in the other cities the bond issues are done in the Controller's Office, so I didn't address that. In some cities, payroll is made in Finance. I would say, "How many people handle your payroll?" I didn't care where it was done. In other words, we did job by job. How many people does it take to do the jobs? And I reported back to you. And I did this in 1987 before I ever thought of running for Controller.

The findings speak for themselves. The facts are that in cities with populations, as you know, Pittsburgh has 370,000 and cities with 200,000 more they have 40 people, 40 professionals doing the work that 95 people are doing in our Controller's Office. It used to be 106; we're down to 95. And as you know, the Controller had asked us to put 10 new jobs in.

I cannot believe that a media, a reporter, a newspaper, would say, "Gee, we've given the Controller an out; now he doesn't have people so he'll say he can't do his job because he doesn't have the people. Therefore, let's give him the people whether he needs them or not." I can't fathom this.

In any event, this Council passed a resolution at the end of this year, the budget, which states that we would like again to request of our Controller to do an independent audit. The Controller has always come to this table and said that he didn't want an audit because it wouldn't be independent. So we reworded it. I reworded it graciously with the consent of Mr. Ferlo. I reworded the legislation to say that it would be a truly independent audit. The people who would do the audit would be chosen by the Administration, by the Council, and would have the approval of the Controller's Office. What could be more independent than that? An independent audit that would finally look at that

Controller's Office.

And I repeat what I said in my Letters to the Editor. I think in 1992 you're going to be able to cut another 20 percent of the jobs out of the Controller's Office because other cities are doing the job with 40 people that he's doing with 95. And if we cut out the jobs, he'll still have 77.

I want to get that on the Record before somebody in the Administration gets a little panicky and we put those jobs back in.

So, my request is officially that we send a letter to the Controller asking what date he would like to sit down and meet with the concerned parties, the President of our Council representing Council, the Mayor, and someone from his office to choose who will do that independent audit. It isn't enough to have the rhetoric and say, "Wouldn't it be nice to have an audit?" I'm calling his bluff. If we find that he can't do the job, that he needs people, we'll back off.

The motion is that we immediately contact the Controller's Office to set up a meeting to say when do you want to meet to pick the independent auditor. I hope I have a second on that since you all voted for it.

Mr. Ferlo seconded the motion.

Mr. Ricciardi:

Discussion. I support the independent auditor. As a matter of fact, as Michelle pointed out, we all voted for it. I think it's very important that we separate the issue from the personality in the Controller's Office and what I'm saying is that we've given him a vacancy allowance of \$500,000 and basically I consider that as a poison pill that he has to come up with hopefully retirements, people quitting, going to other jobs.

I'm really concerned here that people that

are doing their work in the Controller's Office, people who are not directly involved in close political ties in the Controller's Office, are going to be losing their jobs because we put a personality in this whole issue.

So, I would like to see the audit done as quickly as we can because if the audit shows that those people are needed, I want to make sure that we correct that vacancy allowance and let those people collect a paycheck for doing work in that office. Thank you.

Michelle Madoff:

One last comment on the same subject. I'm sorry. I forgot a very important item.

When we did the study we put together a summary, and in that summary I distributed not only to my colleagues but every member of the media who is represented, the names of the fiscal officer that we contacted and the phone number so that anybody could have redone that study and rechecked that study. And I urge that we also have that study rechecked through the Administration.

The Chair:

All in favor of that motion? Those opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

I just want to say, since I didn't really speak at the last meeting, I think it would be remiss if I didn't let the record reflect that I'm going to greatly miss my colleague, Mr. Regan. And I want to wish him well and actually I really just want to state very clearly a thank you to him. He has been a big supporter and a friend on Council and he's a hell of a guy and I'm going to

miss him a lot.

He has three great things and, in fact, they're the subject of one of my favorite movies, "The Wizard of Oz". You may remember that movie. But it talks about having a brain, having courage, and having a heart, and I think Baldy Regan has got a lot of all three of those things.

The Chair:

I agree.

I'd like to end the year on an unusual but harmonious note. I'd like to put a motion on the floor that we send a letter to Chuck Knoll of the Pittsburgh Steelers, and have all of us sign it, thanking him for his 23 years of service to the Pittsburgh Steelers and the City of Pittsburgh and raising the standards of a professional sports coach, not only in this City but throughout the country and throughout the world. I think he is going to be a person that is greatly missed here in the City.

I know that's an unusual motion but I have always highly respected the individual and I would like to see this body do that.

Mr. Darkins seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

I wish everyone a safe and happy new year.

Mr. Cohen moved to excuse Mr. Coyne for absence from the meeting.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milllones:

I move to adjourn this meeting and meet
again next year.

Mr. Ferlo seconded the motion.

And on the motion of **Mr. Milllones**

Council adjourned.

Table 1. Mean (SD) age, height, weight, and body mass index (BMI) of the 100 children in the sample, by sex and age group

Age group	Sex	Age (years)	Height (cm)	Weight (kg)	BMI (kg m ⁻²)
5-6	Male	5.6 (0.3)	111.5 (5.5)	18.5 (4.5)	15.2 (3.2)
	Female	5.6 (0.3)	110.5 (5.5)	18.0 (4.5)	14.8 (3.2)
7-8	Male	7.5 (0.3)	125.5 (6.5)	25.5 (6.5)	16.3 (3.2)
	Female	7.5 (0.3)	124.5 (6.5)	25.0 (6.5)	16.0 (3.2)
9-10	Male	9.4 (0.3)	139.5 (7.5)	35.5 (10.5)	18.3 (3.2)
	Female	9.4 (0.3)	138.5 (7.5)	35.0 (10.5)	18.0 (3.2)

children were asked to perform a series of 10 trials of a simple motor task, and the mean time taken to complete the task was calculated. The task was a simple motor task, and the mean time taken to complete the task was calculated.

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